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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1992

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 17, 1991	Dec. 24, 1991	1	Jan. 3, 1992	June 23, 1992	June 30, 1992	28	July 10, 1992
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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

ILLINOIS INDUSTRIAL COMMISSION

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Americans with Disabilities Act
Grievance Procedure

- 2) Code Citation: 4 Ill. Adm. Code 225

- 3) Section Numbers Proposed Action

225.10	New Section
225.20	New Section
225.30	New Section
225.40	New Section
225.50	New Section
225.60	New Section
225.70	New Section

- 4) Statutory Authority: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C., 12131 - 12134) as specified in the Title II regulations (28 CFR 35.107) and authorized by Section 16 of the Workers' Compensation Act (Ill. Rev. Stat. 1989, ch. 48, par. 138.16).

- 5) A Complete Description of the Subjects and Issues Involved:
As required by the Americans with Disabilities Act of 1990, the proposed rules establish a procedure whereby qualified persons with disabilities may resolve allegations of denial of public service on the basis of disability.

- 6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
No

- 8) Does this Proposed Amendment contain incorporations by reference? No

- 9) Are there any other Proposed Amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking neither creates nor expands a state mandate as defined in Section 3(b) of the State Mandate Act (Ill. Rev. Stat. 1989, ch. 85, par. 2203).

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Send written comments concerning this proposed rulemaking within 30 days of publication in the Illinois Register to:

12) Initial Regulatory Flexibility Analysis:

A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 7, 1992

B) Types of small business affected: None

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the proposed rule begins on the next page:

ILLINOIS INDUSTRIAL COMMISSION

NOTICE OF PROPOSED RULES

TITLE 4: GRIEVANCE PROCEDURES
CHAPTER VI: INDUSTRIAL COMMISSION

PART 225

AMERICANS WITH DISABILITIES ACT
GRIEVANCE PROCEDURE

Section

- 225.10 Purposes
- 225.20 Definitions
- 225.30 Procedure
- 225.40 Designated Coordinator Level
- 225.50 Final Level
- 225.60 Accessibility
- 225.70 Case by Case Resolution

AUTHORITY: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C., 12131-12134) as specified in Title II regulations (28 CFR 35.107) and authorized by Section 16 of the Workers' Compensation Act (Ill. Rev. Stat. 1989, ch. 48, par. 138.16).

SOURCE: Added at _____ Ill. Reg. _____, effective _____.

Section 225.10 Purposes

- a) This grievance procedure is established pursuant to the Americans with Disabilities Act of 1990, 42 USC Section 12101 et seq., ("ADA") and specifically Section 35.107 of the Title II regulations, 28 CFR Part 35, requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.
- b) In general, the ADA requires that each program, service and activity offered by the Commission, when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- c) It is the intention of the Commission to foster open communication with all individuals requesting readily accessible programs, services and activities. The Commission encourages supervisors of programs, services and activities to respond to requests for

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modifications before they become grievances.

(SOURCE: Added at _____ Ill. Reg. _____, effective _____.)

Section 225.20 Definitions

a) Grievance

A grievance is any complaint under the ADA by an individual with a disability who:

- 1) meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Commission, and
- 2) believes he or she has been excluded from participation in, or denied the benefits of any program, service or activity of the Commission or has been subject to discrimination by the Commission.

b) Complainant

A complainant is an individual with a disability who files a grievance form provided by the Commission under this procedure.

c) Designated Coordinator

The Designated Coordinator is the person(s) appointed by the Chairman of the Commission who is responsible for the coordination of efforts of the Commission to comply with and carry out its responsibilities under Title II of the ADA including investigation of grievances filed by complainants.

(SOURCE: Added at _____ Ill. Reg. _____, effective _____.)

Section 225.30 Procedure

- a) Grievances must be submitted through the channels defined below in the form and manner as described within the specified time limits. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in

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calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final Levels.

- b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure as the Commission's response.
- c) The Commission shall, upon being informed of that individual's desire to file a formal grievance, instruct the individual how to receive a copy of this procedure and the grievance form.

(SOURCE: Added at ____ Ill. Reg. _____,
effective _____.)

Section 225.40 Designated Coordinator Level

- a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the grievance form prescribed for that purpose. The grievance form must be completed in full in order to receive proper consideration by the Designated Coordinator.

- b) Upon request, assistance shall be provided by the Commission to complete the grievance form.

- c) The Designated Coordinator, or his/her representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and Chairman within ten (10) business days after receipt of the grievance form.

(SOURCE: Added at ____ Ill. Rev. _____,
effective _____.)

Section 225.50 Final Level

- a) If the grievance has not been resolved at the Designated Coordinator Level to the satisfaction of the complainant, the complainant may submit a

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copy of the grievance form and Designated Coordinator's response to the Chairman of the Commission for final review. The complainant shall submit these documents to the Chairman, together with a short written statement explaining the reason(s) for dissatisfaction with the Designated Coordinator's written response, within five (5) business days after receipt by the complainant of the Designated Coordinator's response.

- b) The Chairman of the Commission shall appoint a 3-member panel to review the grievance at the Final Level. One member so appointed shall be designated chairman.
- c) The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his/her behalf. The panel shall review the Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.
- d) Upon reaching a concurrence, the panel shall make recommendations in writing to the Chairman of the Commission as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a recommendation to the Chairman of the Commission in writing and shall also sign such recommendation.
- e) Upon receipt of recommendations from a panel, the Chairman of the Commission shall approve, disapprove or modify the panel recommendations, shall render a decision thereon in writing, shall state the basis therefore, and shall cause a copy of the decision to be served on the parties. The Chairman's decision shall be final. If the Chairman disapproves or modifies the panel recommendations, the Chairman shall include written reasons for such disapproval or modification.
- f) The grievance form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, the recommendations of the panel and the decision of the Chairman of the Commission shall be maintained in accordance with the State Records Act, Ill. Rev.

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Stat. 1989, ch. 116, par. 43.3 et seq., or as otherwise required by law.

(SOURCE: Added at ____ Ill. Reg. _____,
effective _____.)

Section 225.60 Accessibility

The Commission shall ensure that all stages of the procedure are readily accessible to and usable by individuals with disabilities.

(SOURCE: Added at ____ Ill. Reg. _____,
effective _____.)

Section 225.70 Case-by-Case Resolution

Each grievance involves a unique set of factors which include but are not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and, whether or not an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Commission. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

(SOURCE: Added at ____ Ill. Reg. _____,
effective _____.)

ILLINOIS LOCAL GOVERNMENTAL LAW
ENFORCEMENT OFFICERS TRAINING BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Police Training Act

2) Code Citation: 20 Ill. Adm. Code 1720

3) Section Numbers: 1720.35
Proposed Action: New Section

4) Statutory Authority: Ill. Rev. Stat., 1989, ch. 85, par. 507

5) A Complete Description of the Subjects and Issues Involved:

The purpose of this rule is to provide standards for entry into Board-certified academies for basic training as required by Public Act 87-112, effective January 1, 1992.

6) Will this proposed amendment replace an emergency rule currently in effect? Yes.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives:

The Board will adopt this rule to establish guidelines to comply with the legislative mandate for academy entrance eligibility. The Board has defined the moral turpitude standards for entry.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any person who plans to submit comments should file a notice of intent thereof, within 21 days of the date of this issue of the Illinois Register, with:

Kevin T. McClain
Illinois Local Governmental Law Enforcement
Officers Training Board
Suite 300, 600 South Second Street
Springfield, IL 62706

12) Initial Regulatory Flexibility Analysis:

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NOTICE OF PROPOSED AMENDMENTS

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: This rulemaking has no effect on the Business Assistance Office of the Department of Commerce and Community Affairs.
- B) Types of small businesses affected: This rulemaking will not effect any small business.
- C) Reporting, bookkeeping or other procedures required for compliance: The recordkeeping involved with this rulemaking is being conducted at the basic training academies certifies by the Illinois Police Training Board and, internally, at the Police Training Board.
- D) Types of professional skills necessary for compliance: There are no professional skills necessary for compliance with this rulemaking.

The full text of the Proposed Amendments begins on the next page:

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ILLINOIS LOCAL GOVERNMENTAL LAW
ENFORCEMENT OFFICERS TRAINING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER V: ILLINOIS LOCAL GOVERNMENTAL LAW ENFORCEMENT OFFICERS
TRAINING BOARD

PART 1720

ILLINOIS POLICE TRAINING ACT

Section	
1720.10	Course Requirements
1720.20	Minimum Requirements of the Trainee
1720.25	Procedures for Administration of Law Enforcement and Correctional Officers Certification Examination
1720.30	School Standards and Requirements
1720.35	Academy Entrance Qualifications
1720.40	Qualification of Police Instructors
1720.50	Reimbursements
1720.60	Requirements of Participating Local Agencies
1720.70	Minimum Training Requirements for Illinois Sheriffs
APPENDIX A	Physical Fitness Standards

AUTHORITY: Implementing and authorized by the Illinois Police Training Act (Ill.Rev.Stat. 1989, ch. 85, pars. 501 et seq.)

SOURCE: Filed and effective July 26, 1966; codified at 7 Ill.Reg. 11232; amended at 8 Ill.Reg. 12259, effective July 1, 1984; amended at 11 Ill.Reg. 16692, effective October 6, 1987; amended at 12 Ill.Reg. 3728, effective February 2, 1988; amended at 13 Ill.Reg. 19957, effective December 11, 1989; amended at 14 Ill.Reg. 14800, effective September 4, 1990; amended at 15 Ill.Reg. 999, effective January 14, 1991; emergency amendment at 16 Ill.Reg. 727, effective January 1, 1992, for a maximum of 150 days; added at ___ Ill.Reg. ___, effective ____.

Section 1720.35 Academy Entrance Qualifications

- a) A person shall not be eligible to enter a Board-certified academy for basic training if that person has been convicted of a felony or any other crime involving moral turpitude, and unless he or she is a person of good character.
- b) Moral turpitude includes, but is not limited to, actions which contravene the need to protect the public, fail to meet the integrity of the profession, or do not preserve the administration of justice from reproach.
- c) An applicant's employer agency shall submit an authorization to obtain and release information, and a written certification to the academy on or within thirty days prior to the first day of

ILLINOIS LOCAL GOVERNMENTAL LAW
ENFORCEMENT OFFICERS TRAINING BOARD

NOTICE OF PROPOSED AMENDMENTS

basic training. The written certification shall attest that the applicant's background has been checked and verified, and that the applicant meets the requirements set forth in Section 1720.35(a) and Section 6 of the Illinois Police Training Act, Ill.Rev.Stat. 1989, ch. 85, par. 506.

d) The written certification shall contain the following information:

- 1) Name and address of Employer Agency;
- 2) Name and address of applicant;
- 3) Verification that the criminal history of the applicant has been examined and contains no violation as specified in this rule;
- 4) Verification that the personal history of the applicant has been examined and that the applicant is of good character;
- 5) Dated signatures of the agency head on the application with an attestation from the applicant that the information is true and correct.

e) The Board-certified academy director shall have the first two weeks of training to review the qualifications of the applicant to enter the academy. An applicant's participation in the academy is conditional upon this review.

f) In the event that the Board-certified academy director determines that an applicant does not meet the standards set forth by law, the applicant's employer agency shall be notified in writing that the applicant is not eligible to enter the academy, and the applicant shall be sent home. Reasons for the denial shall be in writing.

g) Any employer agency who wishes to appeal the decision of a director denying admission into a Board-certified academy shall, within ten days, submit a written request for review to the Executive Director of the Board.

h) The Executive Director of the Board shall have thirty days to undertake a review of the academy director's decision. The Executive Director shall have the powers of investigation. Failure to cooperate in the investigation on the part of the applicant or employer agency may result in disqualification.

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- i) The Executive Director shall decide within thirty days whether to confirm or overrule the academy director's decision.
- j) In the event the Executive Director confirms the decision, the applicant's employer agency may, in writing, file an appeal, within 10 days of the Executive Director's decision. The Board's Executive Committee shall review the record at the next regularly scheduled quarterly Executive Committee meeting to confirm or overrule the Executive Director. The Executive Committee shall make its recommendation to the Board at the Board's next regularly scheduled meeting.
- k) If an appeal is filed, an applicant shall be entitled to the ninety day extension in Section 8.1 of the Act to complete basic training.

(Source: Added at ___ Ill.Reg. ___, effective ____)

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DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: MEDICAL ASSISTANCE PROGRAMS

2) Code Citation: 89 Ill. Adm. Code 120

3) Section Number: . Proposed Action:

120.384 Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Par. 12-13)

5) A Complete Description of the Subjects and Issues Involved: As a result of Public Act 87-13, Department rates for long term care were increased to reflect a change in methodology. Due to this revised methodology, the Department rate may now exceed a facility's private pay rate. This rule adds language to indicate that in the determination of a group care case as regular MANG or spend-down, countable income and/or excess assets must be compared to the cost of long term care at the private rate or the Department rate, whichever is greater.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

120.11 Amendment November 15, 1991
(15 Ill. Reg. 16625)120.31 Amendment November 15, 1991
(15 Ill. Reg. 16625)120.60 Amendment November 15, 1991
(15 Ill. Reg. 16625)120.64 Amendment November 15, 1991
(15 Ill. Reg. 16625)120.80 Amendment November 22, 1991
(15 Ill. Reg. 16856)

Section Numbers Proposed Action Illinois Register Citation

120.382 Amendment November 15, 1991
(15 Ill. Reg. 16625)120.390 Amendment November 15, 1991
(15 Ill. Reg. 16625)120.391 Amendment November 15, 1991
(15 Ill. Reg. 16625)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217/524-3215). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

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120.1

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

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120.11

Eligibility For Medical Assistance
Eligibility For Medical Assistance For Pregnant Women and Children Under Age Eight Who Do Not Qualify As Mandatory Categorically Needy
Healthy Start - Medicaid Presumptive Eligibility Program For Pregnant Women
MANG(AABD) Income Standard
MANG(C) Income Standard
MANG(P) Income Standard
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Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings

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DEPARTMENT OF PUBLIC AID

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SUBPART F: MIGRANT MEDICAL PROGRAM

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Elimination Of Aid To The Medically Indigent
Client Cooperation (Repealed)

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Citizenship (Repealed)

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Residence (Repealed)

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Supplemental Payments (Repealed)

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Institutional Status (Repealed)

120.218

Foster Care Program (Repealed)

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Social Security Numbers (Repealed)

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Unearned Income (Repealed)

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Exempt Unearned Income (Repealed)

120.235

Education Benefits (Repealed)

120.236

Unearned Income In-Kind (Repealed)

120.240

Earmarked Income (Repealed)

120.245

Lump Sum Payments and Income Tax Refunds (Repealed)

120.250

Protected Income (Repealed)

120.255

Earned Income (Repealed)

120.260

Budgeting Earned Income (Repealed)

120.261

DEPARTMENT OF PUBLIC AID

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Section	
120.262	Exempt Earned Income (Repealed)
120.270	Recognized Employment Expenses (Repealed)
120.271	Income From Work/Study/Training Program (Repealed)
120.272	Earned Income From Self-Employment (Repealed)
120.273	Earned Income From Roomer and Boarder (Repealed)
120.275	Earned Income In-Kind (Repealed)
120.276	Payments from the Illinois Department of Children and Family Services (Repealed)
120.280	Assets (Repealed)
120.281	Exempt Assets (Repealed)
120.282	Asset Disregards (Repealed)
120.283	Deferral of Consideration of Assets (Repealed)
120.284	Spend-down of Assets (AMI) (Repealed)
120.285	Property Transfers (Repealed)
120.290	Persons Who May Be Included in the Assistance Unit (Repealed)
120.295	Payment Levels for AMI (Repealed)

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section	
120.308	Client Cooperation
120.309	Caretaker Relative
120.310	Citizenship
120.311	Residence
120.312	Age
120.313	Blind
120.314	Disabled
120.315	Relationship
120.316	Living Arrangements
120.317	Supplemental Payments
120.318	Institutional Status
120.319	Assignment of Rights to Medical Support and Collection of Payment
120.320	Cooperation in Establishing Paternity and Obtaining Medical Support
120.321	Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.322	Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323	Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause
120.324	Foster Care Program
120.325	Social Security Numbers
120.330	Unearned Income
120.332	Budgeting Unearned Income
120.335	Exempt Unearned Income

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NOTICE OF PROPOSED AMENDMENT

Section	
120.336	Education Benefits
120.338	Incentive Allowance
120.340	Unearned Income In-Kind
120.342	Court Ordered Child Support Payments of Parent/Step-Parent
120.345	Farmlinked Income
120.346	Medicaid Qualifying Trusts
120.350	Lump Sum Payments and Income Tax Refunds
120.355	Protected Income
120.360	Earned Income
120.361	Budgeting Earned Income
120.362	Exempt Earned Income
120.364	Earned Income Exemption
120.366	Exclusion From Earned Income Exemption
120.370	Recognized Employment Expenses
120.371	Income From Work/Study/Training Programs
120.372	Earned Income From Self-Employment
120.373	Earned Income From Roomer and Boarder
120.375	Earned Income In Kind
120.376	Payments from the Illinois Department of Children and Family Services
120.379	Assessment of Assets
120.380	Assets
120.381	Exempt Assets
120.382	Asset Disregard
120.383	Deferral of Consideration of Assets
120.384	Spend-down of Assets (MANG)
120.385	Property Transfers for Applications Filed Prior to October 1, 1989
120.386	Property Transfers Effective for Applications Filed on or After October 1, 1989
120.390	Persons Who May Be Included in the Assistance Unit
120.391	Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Under Age Eight
120.392	Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
120.393	Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project.
120.395	Payment Levels for MANG
120.399	Redetermination of Eligibility

AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq. and 12-13)

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NOTICE OF PROPOSED AMENDMENT

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January

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14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days;

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amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 17904, effective November 15, 1988; amended at 13 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5939, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill.

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Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section 120.384 Spend-down of Assets (MANG)

a) Determination of Assets

1) For individuals residing in the community the Department determines the amount of non-exempt assets using the verified amount on the date of decision on the application for medical assistance. The date of verification may be prior to the date of decision. Money considered as income for a month is not considered as an asset for that same month. If income for a month is added to a bank account that month, the Department will subtract the amount of income from the bank balance to determine the asset level. Any income remaining the following month(s) is considered as an asset.

2) The amount of non-exempt assets verified during the application process is used on the date of decision. If medical eligibility includes a backdated month(s), for the backdated month(s), the Department will consider the amount of assets available to apply to the cost of medical care. The Department will not determine the value of assets for a backdated month(s) of eligibility. However, the amount of the excess assets verified during the application process is used to determine spend-down status in each backdated month of eligibility.

3) Once the excess asset has been used to meet spend-down, whether or not the excess amount has actually been reduced, it is no longer considered. However, at reapplication/redetermination, the Department will consider any excess non-exempt assets remaining as currently available.

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NOTICE OF PROPOSED AMENDMENT

Section 120.384 (continued)

b) Community Cases (MANG)

To determine the spend-down obligation for MANG clients in the community, the Department will compare monthly countable income to the appropriate MANG standard and add any non-exempt assets in excess of the appropriate asset disregard to non-exempt monthly income in excess of the appropriate MANG Standard.

1) Regular MANG - Community Residents

When an individual residing in the community, has countable monthly income of not more than 99 cents over the appropriate MANG Standard and has non-exempt excess assets of not more than 99 cents over the appropriate asset disregard, the case is referred to as a Regular MANG case. Payment for covered services is made for each month eligibility exists.

2) Spend-down MANG

A) When an individual resides in the community and has countable monthly income of at least \$1.00 over the MANG Standard and/or non-exempt assets of at least \$1.00 in excess of the asset disregard for the appropriate size household, the case is referred to as a community spend-down case. The spend-down amount is the sum of the amount of income in excess of the MANG Standard plus non-exempt assets in excess of the appropriate asset disregard. The Department will disregard any excess income and/or asset amounts that are not at least \$1.00 over the appropriate standard or disregard.

B) The transfer of asset policy set forth in Section 120.385 still applies. Once the client has been determined to have a resource spend-down because of excess non-exempt assets, the spend-down cannot be eliminated by a non-allowable transfer made to qualify for or increase the need for medical assistance.

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NOTICE OF PROPOSED AMENDMENT

Section 120.384(b) (continued)

C) If the individual presents verification that the excess amount is no longer available and the transfer of assets is allowable according to Section 120.385, the Department will make the appropriate changes the month following the month the assets were transferred. If spend-down has been met, the policy set forth in Section 120.385 regarding transfer of assets does not apply. The client may dispose of the asset as he/she wishes as it has been applied to a met spend-down.

D) Individuals enrolled in spend-down are not eligible for payment of covered medical services until spend-down is met. Spend-down is met by presenting allowable medical bills or receipts to the Department that equal the amount of the individual's excess countable income and/or non-exempt excess assets. Excess assets do not have to be reduced prior to the issuance of a medical card.

c) Group Care Cases

To determine the spend-down obligation for MANG clients in group care, the Department will compare monthly countable income and non-exempt assets in excess of the appropriate asset disregard to the cost of long term care at the private pay rate or the Department rate, whichever is greater. When an individual has non-exempt excess assets, the excess amount is applied to the monthly long term care charges after the monthly countable income has been applied.

1) Regular Group Care

When an individual in group care has countable monthly income plus non-exempt assets in excess of the applicable asset disregard of not more than 99 cents over the private pay rate or the Department rate, whichever is greater, the case is referred to as a Regular Group Care case. If monthly countable income plus excess non-exempt

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NOTICE OF PROPOSED AMENDMENT

Section 120.384(c) (continued)

assets are less than the long term care charges at the Department rate, the Department will pay the difference.

2) Group Care Spend-down

- A) When an individual in group care has countable monthly income plus non-exempt assets in excess of the applicable asset disregard of at least \$1.00 over the cost of long term care at the private pay rate or the Department rate, whichever is greater, the case is referred to as a Group Care Spend-down case. The spend-down amount is the sum of the monthly countable income plus non-exempt assets over the applicable asset disregard.

- B) The transfer of asset policy set forth in Section 120.385 still applies. Once the client has been determined to have a resource spend-down because of excess non-exempt assets, the spend-down cannot be eliminated by a non-allowable transfer made to qualify for or increase the need for medical assistance.

- C) If the individual presents verification that the excess amount is no longer available and the transfer of assets is allowable according to Section 120.385, the Department will make the appropriate changes the month following the month the assets were transferred. If spend-down has been met, the policy set forth in Section 120.385 regarding transfer of assets does not apply. The client may dispose of the asset as he/she wishes as it has been applied to a met spend-down.

- D) Individuals enrolled in spend-down are not eligible for payment of covered medical services until spend-down is met. Spend-down is met by presenting allowable medical bills or receipts to the Department that equal the amount of the individual's

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Section 120.384(c) (continued)

excess countable income and/or non-exempt assets. Excess assets do not have to be reduced prior to the issuance of a medical card.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: MEDICAL PAYMENT2) Code Citation: 89 Ill. Adm. Code 1403) Section Number: Proposed Action:

140.15

Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)5) A Complete Description of the Subjects and Issues Involved: The proposed rule revision would prohibit the Department from recouping money determined to be owed by a client from a long term care provider due to an error in the initial determination of medical eligibility. This rule revision responds to issues raised regarding a proposed amendment introduced during the last legislative session.6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this Proposed Amendment contain incorporations by reference? No9) Are there any other Proposed Amendments pending on this Part? YesSection Numbers Proposed Action Illinois Register Citation

140.2

Amendment

May 1, 1992
(16 Ill. Reg. 6936)

140.13

Amendment

March 27, 1992
(16 Ill. Reg. 4708)

140.14

Amendment

March 27, 1992
(16 Ill. Reg. 4708)

140.16

Amendment

March 27, 1992
(16 Ill. Reg. 4708)

140.19

Amendment

March 27, 1992
(16 Ill. Reg. 4708)

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Section Numbers Proposed Action Illinois Register Citation

140.27

Amendment

January 3, 1992
(16 Ill. Reg. 65)

140.31

New Section

March 27, 1992
(16 Ill. Reg. 4708)

140.32

New Section

March 27, 1992
(16 Ill. Reg. 4708)

140.33

New Section

March 27, 1992
(16 Ill. Reg. 4708)

140.413

Amendment

April 24, 1992
(16 Ill. Reg. 6719)

140.421

Amendment

May 15, 1992
(16 Ill. Reg. 7576)

140.526

Repealed

January 10, 1992
(16 Ill. Reg. 472)

140.527

Repealed

January 10, 1992
(16 Ill. Reg. 472)

140.528

Repealed

January 10, 1992
(16 Ill. Reg. 472)

140.529

Repealed

January 10, 1992
(16 Ill. Reg. 472)

140.539

Amendment

January 10, 1992
(16 Ill. Reg. 472)

140.543

Amendment

February 28, 1992
(16 Ill. Reg. 3045)

140.565

Amendment

January 24, 1992
(16 Ill. Reg. 1492)

140.566

New Section

March 27, 1992
(16 Ill. Reg. 4708)

140.579

Amendment

March 6, 1992
(16 Ill. Reg. 3409)

140.600

New Section

January 10, 1992
(16 Ill. Reg. 472)

Section Numbers Proposed Action Illinois Register Citation
140.602 New Section January 10, 1992
(16 Ill. Reg. 472)
140.604 New Section January 10, 1992
(16 Ill. Reg. 472)
140.608 New Section January 10, 1992
(16 Ill. Reg. 472)
140.610 New Section January 10, 1992
(16 Ill. Reg. 472)
140.612 New Section January 10, 1992
(16 Ill. Reg. 472)
140.614 New Section January 10, 1992
(16 Ill. Reg. 472)
140.700 Amendment May 15, 1992
(16 Ill. Reg. 7576)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Joanne Jones, Bureau of Rules and Regulations, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 524-3215. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
- B) Types of small businesses affected: Medical Providers
- C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

- Section
140.1
140.2
140.3
- Incorporation By Reference
Medical Assistance Programs
Covered Services Under The Medical Assistance
Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP,
Individuals Under Age 18 Not Eligible for AFDC,
Pregnant Women Who Would Be Eligible if the Child
Were Born and Pregnant Women and Children Under Age
Eight Who Do Not Qualify As Mandatory Categorically
Needy
- 140.4
140.5
140.6
140.7
- Covered Medical Services Under AFDC-MANG for
non-pregnant persons who are 18 years of age or
older (Repealed)
Covered Medical Services Under GA
Medical Services Not Covered
Medical Assistance Provided to Individuals Under
the Age of Eighteen Who Do Not Qualify for AFDC and
Children Under Age Eight
- 140.8
140.9
- Medical Assistance For Qualified Severely Impaired
Individuals
Medical Assistance for a Pregnant Woman Who Would
Not Be Categorically Eligible for AFDC/AFDC-MANG if
the Child Were Already Born Or Who Do Not Qualify
As Mandatory Categorically Needy
- 140.10
- Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

- Section
140.11
140.12
140.13
140.14
- Enrollment Conditions for Medical Providers
Participation Requirements for Medical Providers
Definitions
Denial of Application to Participate in the Medical
Assistance Program
- 140.15
140.16
- Recovery of Money
Termination of a Vendor's Eligibility to
Participate in the Medical Assistance Program
- 140.17
- Suspension of a Vendor's Eligibility to Participate
in the Medical Assistance Program

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- Section
140.18
140.19
140.20
140.21
- Effect of Termination on Individuals Associated
with Vendor
Application to Participate or for Reinstatement
Subsequent to Termination, Suspension or Barring
Submittal of Claims
Covered Medicaid Services for Qualified Medicare
Beneficiaries (QMBs)
Magnetic Tape Billings
Payment of Claims
Payment Procedures
Overpayment or Underpayment of Claims
Payment to Factors Prohibited
Assignment of Vendor Payments
Record Requirements for Medical Providers
Audits
- 140.22
140.23
140.24
140.25
140.26
140.27
140.28
140.30
140.35
140.40
140.41
140.42
140.43
- False Reporting and Other Fraudulent Activities
Prior Approval for Medical Services or Items
Prior Approval in Cases of Emergency
Limitation on Prior Approval
Post Approval for items or Services When Prior
Approval Cannot Be Obtained
Reimbursement for Medical Services Through the Use
of a C-13 Invoice Voucher Advance Payment and
Expedited Payments
Drug Manual (Recodified)
Drug Manual Updates (Recodified)
- 140.71
140.72
140.73
- Approval Cannot Be Obtained
Reimbursement for Medical Services Through the Use
of a C-13 Invoice Voucher Advance Payment and
Expedited Payments
Drug Manual (Recodified)
Drug Manual Updates (Recodified)

SUBPART C: PROVIDER PARTICIPATION FEES

- Section
140.94
- Medicaid Developmentally Disabled Provider
Participation Fee Trust Fund/Medicaid Long Term
Care Provider Participation Fee Trust Fund
Hospital Services Trust Fund
General Requirements (Recodified)
Special Requirements (Recodified)
Covered Hospital Services (Recodified)
Hospital Services Not Covered (Recodified)
Limitation On Hospital Services (Recodified)
Transplants (Recodified)
Heart Transplants (Recodified)
Liver Transplants (Recodified)
Bone Marrow Transplants (Recodified)
Disproportionate Share Hospital Adjustments
(Recodified)
Payment for Inpatient Services for GA (Recodified)
Hospital Outpatient and Clinic Services (Recodified)
- 140.95
140.96
140.97
140.98
140.99
140.100
140.101
140.102
140.103
140.104
140.110
- Medicaid Developmentally Disabled Provider
Participation Fee Trust Fund/Medicaid Long Term
Care Provider Participation Fee Trust Fund
Hospital Services Trust Fund
General Requirements (Recodified)
Special Requirements (Recodified)
Covered Hospital Services (Recodified)
Hospital Services Not Covered (Recodified)
Limitation On Hospital Services (Recodified)
Transplants (Recodified)
Heart Transplants (Recodified)
Liver Transplants (Recodified)
Bone Marrow Transplants (Recodified)
Disproportionate Share Hospital Adjustments
(Recodified)
Payment for Inpatient Services for GA (Recodified)
Hospital Outpatient and Clinic Services (Recodified)
- 140.116
140.117
- Medicaid Developmentally Disabled Provider
Participation Fee Trust Fund/Medicaid Long Term
Care Provider Participation Fee Trust Fund
Hospital Services Trust Fund
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983;

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amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days;

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amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 11 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.913 and 140.914 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.206 and 147.207 Table A and 147.208 thru 147.209 and 147.210 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 11 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988;

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amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150

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days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section 140.15 Recovery of Money

- a) The Department may recover money improperly or erroneously paid, or overpayments (see (b) below for exception to recovery of money), either by setoff (deducting from Department obligations to the vendor), deductions from future billings or by requiring direct repayment.

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NOTICE OF PROPOSED AMENDMENT

Section 140.15 Recovery of Money (Cont'd)

- b) The Department shall not recoup from any long term care provider any amounts subsequently determined to be owed by a client due to an error in the initial determination of medical eligibility.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Practice in Administrative Hearings2) Code Citation: 89 Ill. Adm. Code 1043) Section Numbers: Proposed Action:

104.10	Amendment
104.70	Amendment
104.102	Amendment
104.235	Amendment
104.248	New Section
104.295	Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 12-13)5) Complete Description of the Subjects and Issues Involved:

Several changes in the rules governing the Department's administrative hearing procedures are being proposed. The amendments address assistance appeal, child support, and medical vendor hearings.

Assistance Hearings: Proposed changes in Section 104.10, which addresses the initiation of assistance appeals, implement the statute establishing a toll-free telephone number for filing appeals (Public Act 87-630, which became effective January 1, 1992), add AMI appeals, and eliminate the statement that the notice of appeal is not effective until received by the Public Aid Committee or Department. The proposed amendments also allow oral Food Stamp appeals.

Section 104.70, which addresses final administrative decisions in assistance appeals, is being changed to explicitly state that petitions for rehearing or reconsideration are not allowed. Neither existing rules nor current practice provide for reconsideration of final decisions by the Director. The proposed amendment makes explicit that the only method of review is a complaint in court. This change parallels the proposed amendment to Section 104.295 for medical vendor hearings. The proposed amendments also correct the omission of Food Stamp appeals from Section 104.70(b).

Child Support Hearings: Amendments to Section 104.102 are intended to clarify the location in which child support hearings will be conducted and the manner in which out-of-state parties may present their case in the hearings.

The current provisions of Section 104.102(b)(2)(C) state that the hearing shall be conducted in the county of residence of the custodial parent. However, since the custodial parent rarely appears at the hearing,

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conducting the hearing in the county of residence of the custodial parent may subject the obligor to a hardship with no corresponding benefit to anyone. The proposed amendments will allow the hearing to be conducted in the county of residence of the obligor when the obligor is an Illinois resident.

The proposed amendments also address the manner in which out-of-state parties may present their case in the hearings. The proposed amendments correct the references to the statute which allows recipients to present their case through depositions and witnesses, rather than appearing in person. The amendments will also allow parties to participate in the hearing by telephone. Several obligors have recently requested to participate by telephone.

Medical Vendor Hearings: Three changes are being proposed in the portions of Part 104 which address medical vendor hearings. First, Section 104.235 is being amended to clarify the limited materials which are subject to discovery in medical vendor hearings. Discovery is limited to the documents specified in this Section. The proposed changes specify that the specific forms which are required in an inspection of a nursing home and reports prepared by medical consultants are subject to discovery. These proposed amendments should reduce the uncertainty surrounding the availability of these documents.

Second, a new Section 104.248 is being proposed to provide for the disqualification of hearing officers. This proposal is in response to a mandate in Public Act 87-823 which will take effect on July 1, 1992. The act adds this requirement to the Illinois Administrative Procedure Act as Section 10-30(b) (Ill. Rev. Stat. 1989, ch. 127, par. 1010-30(b)). This statute requires agencies to provide by rule for the disqualification of an administrative law judge for bias or conflict of interest.

Third, changes are being proposed in Section 104.295, which deals with the Director's final administrative decision, to explicitly state that petitions for rehearing or reconsideration are not allowed. Neither existing rules nor current practice provide for reconsideration of final decisions by the Director. The proposed amendment makes explicit that the only method of review is a complaint in court. This change parallels the proposed amendment to Section 104.70 for assistance appeal hearings.

The Department does not believe that these proposed amendments will have any significant fiscal impact on the persons regulated or affected by these rules.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

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- 8) Does this Proposed Amendment contain incorporations by reference? No
- 9) Are there any other Proposed Amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
104.202	Amendment	March 27, 1992 (16 Ill. Reg. 4741)
104.206	Amendment	February 21, 1992 (16 Ill. Reg. 2752)
104.208	Amendment	February 21, 1992 (16 Ill. Reg. 2752)
104.209	New Section	March 27, 1992 (16 Ill. Reg. 4741)
104.210	Amendment	February 21, 1992 (16 Ill. Reg. 2752)
104.210	Amendment	March 27, 1992 (16 Ill. Reg. 4741)
104.212	Amendment	March 27, 1992 (16 Ill. Reg. 4741)
104.221	Amendment	March 27, 1992 (16 Ill. Reg. 4741)
104.230	Amendment	March 27, 1992 (16 Ill. Reg. 4741)
104.244	Amendment	March 27, 1992 (16 Ill. Reg. 4741)
104.246	Amendment	March 27, 1992 (16 Ill. Reg. 4741)
104.272	Amendment	February 21, 1992 (16 Ill. Reg. 2752)
104.273	Amendment	February 21, 1992 (16 Ill. Reg. 2752)
104.274	Amendment	February 21, 1992 (16 Ill. Reg. 2752)

- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on any units of local government.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Ken Mitchell, Chief, Bureau of Rules and Regulations, Illinois Department of Public Aid, Jesse B. Harris Building 11, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 7, 1992
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

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- TITLE 89: SOCIAL SERVICES
- CHAPTER I: DEPARTMENT OF PUBLIC AID
- SUBCHAPTER a: GENERAL PROVISIONS

PART 104

PRACTICE IN ADMINISTRATIVE HEARINGS

SUBPART A: ASSISTANCE APPEALS

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Assistance Appeals

Initiation of Appeal Process

Pre-Appeal Review

Notice of Hearing

Conduct of Hearings

Representation

Appellant Participation in Hearing

Evidentiary Requirements

Subpoenas

Amendment of Appeal

Consolidation of Appeals

Postponement or Continuation of Hearings

Withdrawal of Appeal

Closing of Hearing Record

Dismissal of Appeal

Final Administrative Decision

Public Aid Committee

SUBPART B: RESPONSIBLE RELATIVE AND JOINT PAYEE PETITIONS

Section
104.100
104.101
104.102
104.103
104.104

Responsible Relative and Joint Payee Petitions

Petition for Hearing

Conduct of Administrative Support Hearings

Conduct of Hearings to Contest the Determination of Past-Due Support or of Share of Jointly-Owned Funds

Conduct of Hearings to Stay Service of an Administrative Order for Withholding or Notice of Delinquency, or to Modify, Suspend or Terminate an Administrative Order for Withholding

SUBPART C: MEDICAL VENDOR HEARINGS

Section
104.200
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Applicability

Definitions

Notice of Denial of An Application

Notice of Intent to Recover Money

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104.208 Notice of Intent to Terminate, Suspend or Not Renew Provider

SUBPART E: FOOD STAMP ADMINISTRATIVE DISQUALIFICATION HEARINGS

104.210 Agreement
 104.212 Right to Hearing
 104.212 Prior Factual Determinations
 104.215 Notice of Formal Conference
 104.216 Formal Conference on Recovery of Money
 104.217 Purpose of Formal Conference
 104.220 Notice of Hearing
 104.221 Issues at Particular Hearings
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 104.225 Appearance of Attorney or Other Representative
 104.226 Notice, Service and Proof of Service
 104.230 Form of Papers
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 104.235 Conduct of Hearings
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 104.241 Motions
 104.242 Subpoenas
 104.243 Burden of Proof
 104.244 Witness at Hearings
 104.245 Evidence at Hearings
 104.246 Cross-Examination
 104.247 Disqualification of Hearing Officers
 104.248 Official Notice
 104.250 Computer Generated Documents
 104.255 Recommendation of Peer Review Committee
 104.260 Time Limits for Hearings
 104.271 Continuances and Extensions
 104.272 Withholding of Payments During Pendency of Proceedings
 104.273 Continuation of Payments During Pendency of Proceedings
 104.274 Denial of Payments for Services During Pendency of Proceedings
 104.280 Record of Hearings
 104.285 Failure to Appear or Proceed
 104.290 Recommended Decision
 104.295 Director's Decision

SUBPART D: RULES FOR JOINT DEPARTMENT ACTIONS
 AGAINST SKILLED NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES
 PARTICIPATING IN THE MEDICAID PROGRAM

Section
 104.300 Authority
 104.302 Definitions
 104.304 Department Actions Against Nursing Homes Facilities
 104.310 Certification
 104.320 Joint Administrative Hearing
 104.330 Facilities Certified Under Both Medicare and Medicaid

Section
 104.400 Suspected Intentional Violation of the Program
 104.410 Advance Notice of Administrative Disqualification Hearing
 104.420 Postponement of Hearing
 104.430 Administrative Disqualification Hearing Procedures
 104.440 Failure to Appear
 104.450 Participation While Awaiting a Hearing
 104.460 Consolidation of Administrative Disqualification Hearing with Fair Hearing
 104.470 Administrative Disqualification Hearing Decision and Notice of Decision
 104.480 Appeal Procedure

SUBPART F: INCORPORATION BY REFERENCE

Section
 104.800 Incorporation By Reference

AUTHORITY: Implementing Sections 11-8 et seq., 12-4.9 and 12-4.25 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 11-8 et seq., 12-4.9, 12-4.25 and 12-13)

SOURCE: Filed and effective December 30, 1977; emergency rule at 2 Ill. Reg. 11 pg. 151 effective March 9, 1978 for a maximum of 150 days; amended at 2 Ill. Reg. 33, p. 57, effective August 17, 1978; peremptory amendment at 3 Ill. Reg. 11, p. 38 effective March 1, 1979; amended at 4 Ill. Reg. 21, p. 80, effective May 8, 1980; peremptory amendment 5 Ill. Reg. 1197, effective January 23, 1981; amended at 5 Ill. Reg. 10753 effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 8 Ill. Reg. 5274, effective April 9, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 16979; amended at 8 Ill. Reg. 18114, effective September 21, 1984; amended at 10 Ill. Reg. 10129, effective June 1, 1986; amended at 11 Ill. Reg. 9213, effective April 30, 1987; amended at 12 Ill. Reg. 9142, effective May 16, 1988; amended at 13 Ill. Reg. 3944, effective March 10, 1989; amended at 13 Ill. Reg. 17013, effective October 16, 1989; amended at 14 Ill. Reg. 18836, effective November 9, 1990; amended at 15 Ill. Reg. 5320, effective April 1, 1991; amended at 15 Ill. Reg. 6557, effective April 30, 1991; amended at 16 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SUBPART A: ASSISTANCE APPEALS

Section 104.10 Initiation of Appeal Process

- a) For General Assistance outside the city of Chicago, the appeal process is initiated by filing a written, signed request with the Public Aid Committee.

Except in respect to the Food Stamp Program, the appeal process is initiated effective with the date a written, signed request for a hearing is received by:
 - 1) The Department from AABD, AFDG, Medical Assistance, No Grant (MANG), and CA clients.
 - 2) The Public Aid Committee, from GA and AMI clients.
- b) For all other appeals, the appeal process is initiated by either:
 - 1) filing a written, signed request with the Assistance Hearings Section, or
 - 2) filing a written, signed request with the respective local office, or
 - 3) telephoning a request to the Assistance Hearings Section's tollfree number for filing appeals.

Food Stamps.--In respect to the Food Stamp Program, the appeal process is initiated effective with the date a written signed request for a hearing, or an oral request for a hearing, is received by the Department.
- c) A food stamp appeal may also be initiated by an oral request to the Department.

A request for an appeal must be filed with either the Assistance Hearings Section at 624 South Michigan Avenue, Chicago, Illinois or with the respective local office.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 104.70 Final Administrative Decision

- a) Following the hearing, a Final Administrative Decision will be made by the Director of the Department which either upholds or does not uphold the appealed action or determines that the Department lacks

DEPARTMENT OF PUBLIC AID
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Section 104.70(a) (continued)

- jurisdiction. A copy of the decision shall be mailed to the appellant and his authorized representative, if any.
- b) A decision on appeal shall be given the interested parties within 60 days from the date of the filing of the appeal unless additional time is required for a proper disposition of the appeal in AABD, AFDG, MANG, Food Stamp, GA, and AMI cases.
- c) When the appealed action is not upheld, the Department shall take appropriate action, in accordance with the decision, including authorization of retroactive assistance benefits, if necessary.
- d) Appropriate action implementing the results of the decision shall be taken within 90 days from the date of initiation of the appeal, extended by any delay in the hearing caused by the appellant. In Food Stamp cases, if the decision results in an increase in household benefits, the increase shall be reflected in the coupon allotment within 10 days of receipt of the hearing decision. If the decision results in a decrease of food stamp benefits, the decrease shall be reflected in the next scheduled issuance following receipt of the hearing decision.
- e) When an appellant whose assistance has been continued unchanged as a consequence of a request for a hearing does not appear at a scheduled hearing, and fails to advise the Department or Public Aid Committee of his inability to attend, the Department shall proceed with the planned change in assistance/food stamp benefits, unless the Department determines that there was good cause as defined in Section 104.60 for the non-appearances.
- f) If an appellant dies before the date of hearing, the appeal process may be pursued by someone acting responsibly in the appellant's behalf.
- g) Once a final decision is released by the Department or Committee, it is reviewable only through the Circuit Courts of the State of Illinois.
- h) No petition for rehearing or reconsideration is allowed. Neither the filing of any such motion, or correspondence in the nature of such a motion, nor any response by the Department to such correspondence or motion will delay the time for filing of a complaint in the Circuit Court.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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SUBPART B: RESPONSIBLE RELATIVE AND JOINT PAYEE PETITIONS

Section 104.102 Conduct of Administrative Support Hearings

a) Hearing De Novo

- 1) The hearing shall be de novo and the Department's determination of liability or non-liability pursuant thereto shall be independent of the prior determination of liability.
- 2) In Title IV-D cases, the hearing shall only consider such matters as are relevant for a determination of the duty and financial ability to support under 89 Ill. Adm. Code 160.60 and 160.65.

b) Rules Governing Hearing

- 1) Hearings on petitions for release from or modification of the Administrative Support Order shall be governed by Sections 104.10 through 104.70, except that "appellant" as used within these Rules shall refer to the responsible relative who petitions and except as set out in subsection (b)(2) below.
- 2) In Title IV-D cases, the following additional rules shall govern:
 - A) A request for appeal must be filed with the regional or central office of the Bureau of Child Support Enforcement at the address furnished in the administrative support order.
 - B) For purposes of notice and of presenting evidence, the Title IV-D client shall be considered an interested party.
 - C) Hearings shall be conducted by a hearing officer authorized by the Director of the Department to consider issues under appeal by Title IV-D responsible relatives. All hearings shall be conducted in the county in which the Title IV-D client resides or any other county acceptable to both the client and the appellant.
 - D) If the appellant is an Illinois resident, the hearing shall be conducted in the appellant's county of residence. If the appellant is not an Illinois resident but the client is an Illinois resident, the hearing shall be conducted in the client's county of residence. If neither the appellant nor the client is an Illinois resident, the hearing shall be conducted in the appropriate regional office of the

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Section 104.102(b)(2)(D) (continued)

Division of Child Support Enforcement. In any event, the hearing may be conducted in a county acceptable to the appellant, the client, and the Division of Child Support Enforcement. If a party is outside the State, he may, in a manner consistent with Section 11-8.2 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 11-8.2), present his case through depositions and witnesses. In addition, a party may request to participate in the hearing by telephone, at his own expense. All parties may present evidence through deposition in a manner consistent with Section 2-1003 of the Civil Practice Law (Ill. Rev. Stat. 1989, ch. 110, par. 2-1003) and Supreme Court Rules 201-et seq. (Ill. Rev. Stat. 1989, ch. 110A, pars. 201-et seq.).

E) Documents certified by a clerk of court or a Title IV-D agency shall be admitted into evidence without further proof. (Refer to Section 104.23 for admission of other evidence.)

F) In addition to the appellant, the Bureau of Child Support Enforcement or Title IV-D client may request and receive a continuance for good cause shown (e.g., illness or other circumstance which prevent a party from continuing in the normal course of the hearing).

G) A decision on appeal shall be given to the IV-D client and responsible relative within 60 days of the Department's receipt of the appeal unless additional time is required for a proper decision due to the complexity or unavailability of relevant evidence, and the IV-D client and responsible relative will be notified of the length of the extension.

c) A hearing to vacate registration or to modify the administrative order for withholding filed with the Department shall consider only matters which would be available to the responsible relative as defenses in a civil action in Illinois to enforce a foreign money judgment (such as, payment, partial payment, or identification of the party against whom the judgment was entered). If the responsible relative shows the Department that an appeal from the registered support order is pending or will be taken in the court or administrative body of the jurisdiction which originally entered the order, or that a stay of execution has been granted, the Department shall stay enforcement of the order until the appeal is concluded, the time for appeal has expired, or the stay order is vacated.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

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SUBPART C: MEDICAL VENDOR HEARINGS

Section 104.235 Discovery

- a) There shall be no discovery under this Part except for the following items if relevant to the case:

- 1) lists of witnesses;
- 2) the provider detail report, the drug inventory report, and the claim detail report;
- 3) in actions against a nursing home based on Department of Public Health surveys upon which an action against a nursing home is based, all forms which Federal or State Regulations require surveyors to complete during the survey;
- 4) transcripts of that portion of peer review committee proceedings wherein the vendor appears, not including the committee's deliberations;
- 5) resolution of a peer review committee regarding the vendor; and
- 6) any report on the vendor prepared by the Bureau of Medical Quality Assurance's medical consultant.

- b) Requests for discovery shall be made no later than the twenty-first day after receipt of the notice described in Sections 104.204 through 104.208, or no later than the twenty-first day after amendment pursuant to Section 104.241 of the grounds for the action which would make discovery of any of the above items relevant for the first time.
- c) A party shall be required to seasonably supplement its list of witnesses as additional witnesses become known to the party or its counsel.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 104.248 Disqualification of Hearing Officers

- a) A party may move for the disqualification of a Hearing Officer based on bias or a conflict of interest. The motion must be in writing and must state specific facts establishing that bias or a conflict of interest exists. Adverse rulings in pending or prior cases shall not be sufficient to establish bias or conflict of interest.

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Section 104.248 (continued)

- b) A motion for disqualification shall be made promptly after the moving party learns the identity of the Hearing Officer or after learning facts that establish grounds for disqualification. The motion shall be presented to the Hearing Officer assigned to hear the matter.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 104.295 Director's Decision

- a) The Director shall make a final decision in each case. The decision shall be in writing and contain findings of fact, and a final administrative decision. A copy of the decision shall be served on each party at his last address on file with the Department.

- b) The final decision is reviewable only by a timely complaint filed under the Administrative Review Law (Ill. Rev. Stat. 1989, ch. 110, par. 3-101 et seq.). No petition for rehearing or reconsideration is allowed. Neither the filing of any such motion, or correspondence in the nature of such a motion, nor any response by the Department to such correspondence or motion will delay the time for filing of a complaint in administrative review.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Hours of Service of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 395
- 3) Section Numbers:
395.2000
Proposed Action:
Amend
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.

5) A complete description of the subjects and issues involved:
By this Notice of Proposed Amendments, the Department proposes to incorporate applicable provisions of P.A. 87-829, effective January 17, 1992, into the regulations. Section 395.2000(c)(1) is amended to include P.A. 87-829 in the statutory citation. Section 395.2000(c)(2)(A) is amended for purposes of clarification. Section 395.2000(c)(3) is amended to include the provision in P.A. 87-829 which exempts agricultural movements from this Part during a period of time between February 15 through June 30.

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Mary Roseberry
Regulations Unit
Illinois Department of Transportation
Division of Traffic Safety
P. O. Box 19212

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail:

DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to D.C.C.A.: May 12, 1992
- B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).
- C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.
- D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
 CHAPTER I: DEPARTMENT OF TRANSPORTATION
 SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

2) Section 395.13 is not incorporated and the following substituted therefor:

PART 395
 HOURS OF SERVICE OF DRIVERS

Section 395.1000 General
 395.2000 Incorporation by Reference of 49 CFR 395

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1991⁸⁹, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15507, effective September 10, 1990; amended at 15 Ill. Reg. 13161, effective August 21, 1991; amended at 16 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 395.2000 Incorporation by Reference of 49 CFR 395

- a) "Hours of Service of Drivers" (49 CFR 395) is incorporated by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1990, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 395 are incorporated.
- b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.
- c) The following interpretations of, additions to and deletions from 49 CFR 395 shall apply for purposes of this Part.
 - 1) Section 395.8(1)(1) as it applies to intrastate carriers is amended to establish that DRIVERS SHALL OPERATE WITHIN A 200 AIR-MILE RADIUS OF THE NORMAL WORK REPORTING LOCATION TO QUALIFY FOR EXEMPT STATUS. (Section 18b-105(d) of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1991⁸⁹, ch. 95 1/2, par. 18b-105(d), as amended by P.A. 87-829, effective January 17, 1992)

A) Authority to declare drivers out-of-service. Every Illinois State Police officer certified to conduct Commercial Vehicle Inspections, Levels 1, 2, or 3 (as defined in 92 Ill. Adm. Code 390) is authorized to declare a driver out-of-service as set forth in subsection (c)(2)(B) and to notify the motor carrier of that declaration upon finding at the time and place of examination that the driver has violated the out-of-service criteria as set forth in ~~in-subsection-(c)(2)(B)~~.

B) Out-of-Service Criteria

- i) No driver shall drive after being on duty in excess of the maximum periods permitted by 49 CFR 395.
- ii) No driver required to maintain a record of duty status under 49 CFR 395.8 or 395.15 shall fail to have a record of duty status current on the day of examination and for the prior seven consecutive days.
- iii) Exception. A driver failing only to have possession of a record of duty status current on the day of examination and the prior day, but has completed records of duty status up to that time (previous 6 days), will be given the opportunity to make the duty status record current.

C) Responsibilities of motor carriers

- i) No motor carrier shall:
 - Require or permit a driver who has been declared out-of-service to operate a motor vehicle until that driver may lawfully do so under the requirements in 49 CFR 395;
 - Require a driver who has been declared out-of-service for failure to prepare a record of duty status to operate a motor vehicle until that driver has been off duty for eight consecutive hours and is in

DEPARTMENT OF TRANSPORTATION

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compliance with this section. The consecutive eight hour off duty period may include sleeper berth time.

- ii) A motor carrier shall, if required (refer to 92 Ill. Adm. Code 396.2010 for requirement), complete the "Notice to Motor Carrier" portion of the Form ISP 5-238 (Illinois Commercial Driver/Vehicle Inspection Report) and deliver the copy of the form either personally or by mail to the Illinois State Police Motor Carrier Safety Section at the address specified upon the form within 15 days following the date of examination. If the motor carrier mails the form, delivery is made on the date it is postmarked.

D) Responsibilities of the Driver:

- i) No driver who has been declared out-of-service shall operate a motor vehicle until that driver may lawfully do so under the requirements of 49 CFR 395.
- ii) No driver who has been declared out-of-service, for failing to prepare a record of duty status, shall operate a motor vehicle until the driver has been off duty for eight consecutive hours and is in compliance with this Section.
- iii) A driver to whom a form has been tendered declaring the driver out-of-service shall within 24 hours thereafter deliver or mail the copy to a person or place designated by motor carrier to receive it.
- iv) This Section does not alter the hazardous materials requirements prescribed in 92 Ill. Adm. Code 397 pertaining to attendance and surveillance of motor vehicles.

DEPARTMENT OF TRANSPORTATION

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- 3) Part 395 SHALL NOT APPLY TO AGRICULTURAL MOVEMENTS BETWEEN THE PERIOD OF FEBRUARY 15 THROUGH JUNE 30 EACH YEAR, AND ALL FARM TO MARKET AGRICULTURAL TRANSPORTATION AS DEFINED IN 92 ILL. ADM. CODE 390.1020 that are engaged in intrastate commerce. (Section 186-105(c)(6) of the Law)

(Source: Amended at 16 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION
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1) Heading of Part: Inspection, Repair and Maintenance

2) Code Citation: 92 Ill. Adm. Code 396

3) Section Numbers:
396.2010
Proposed Action:
Amend

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.

5) A complete description of the subjects and issues involved:

By this Notice of Proposed Amendments, the Department proposes to amend Section 396.2010(a) to clarify the Illinois State Police's authority to perform commercial vehicle inspections. A cross reference to the definition of "commercial vehicle inspection" in 92 Ill. Adm. Code 390 is provided. Section 396.2010(c)(1) is amended to clarify the criteria an Illinois State Police officer would use to declare a motor vehicle "out-of-service."

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference?

Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Ms. Mary Roseberry
Regulations Unit
Illinois Department of Transportation
Division of Traffic Safety
P. O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

By Messenger or Inter-Agency Mail:

DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: May 12, 1992

B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).

C) Reporting, bookkeeping or other procedure required for compliance: No new or additional reporting requirements are required for compliance with this Part.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTSTITLE 92: TRANSPORTATION
CHAPTER 1: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONSPART 396
INSPECTION, REPAIR AND MAINTENANCE

Section	General
396.1000	Incorporation by Reference of 49 CFR 396
396.2000	Inspection of Vehicles in Operation
396.2010	

AUTHORITY: Implementing Section 18b-100 et. seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1991⁸⁹, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15512, effective September 10, 1990; amended at 15 Ill. Reg. 13167, effective August 21, 1991; amended at 16 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 396.2010 Inspection of Vehicles in Operation

- a) Personnel authorized to perform inspections. The Illinois State Police are authorized to enter upon and perform commercial vehicle inspections (as defined in 92 Ill. Adm. Code 390.1020) of motor carrier vehicles in operation.
- b) Prescribed inspection report - the Illinois Commercial Driver Vehicle Inspection Report (ISP 5-238) shall be used to record results of motor vehicle inspections conducted by Illinois State Police personnel.
- c) Motor Vehicles declared "Out-of-Service."
 - 1) Authorized Illinois State Police personnel shall declare and mark "out-of-service" any motor vehicle which, by reason of its mechanical condition or loading, would likely cause an accident or a breakdown, meets the "North American Uniform Out-of-Service Criteria" as incorporated by reference at 92 Ill. Adm. Code 390.2000. An "out-of-service" vehicle sticker shall be used to mark vehicles "out-of-service."
 - 2) No motor carrier shall require or permit any person to operate nor shall any person operate any motor vehicle

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declared and marked, "out-of-service" until all repairs required by the "out-of-service notice" have been satisfactorily completed. The term "operate" as used in this subsection shall include towing the vehicle, except that vehicles marked "out-of-service" may be towed away by means of a vehicle using a crane or hoist. A vehicle combination consisting of the emergency towing vehicle and an "out-of-service" vehicle shall not be operated until such combination meets the performance requirements of the MCSR except for those conditions noted on the Illinois Commercial Driver/Vehicle Inspection Report (ISP 5-238).

- 3) No person shall remove the "out-of-service vehicle" sticker from any motor vehicle prior to completion of all repairs required by the "out-of-service notice."

d) Motor Carrier's disposition.

- 1) The driver of any motor vehicle receiving an inspection report shall deliver it to the motor carrier operating the vehicle upon his arrival at the next terminal or facility. If the driver is not scheduled to arrive at a terminal or facility of the motor carrier operating the vehicle within 24 hours, the driver shall immediately mail the report to the motor carrier.
- 2) Motor carriers shall examine the report. Violations or defects noted thereon shall be corrected.
- 3) Within 15 days following the date of the inspection, randomly selected motor carriers shall certify that all violations noted have been corrected by completing the reverse side of the Illinois Commercial Driver/Vehicle Inspection Report (ISP 5-238) and returning it to the Illinois State Police Commercial Vehicle Enforcement Bureau's address indicated on the report.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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390.1020
390.2000Proposed Action:Amend
Amend
Amend4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.5) A complete description of the subjects and issues involved:

By this Notice of Proposed Amendments, the Department proposes to include applicable provisions of P.A. 87-829, effective January 17, 1992, in the regulations; update the date of incorporation by reference of 49 CFR 390; and incorporate by reference the "North American Uniform Out-of-Service Criteria."

Chapter 18b of the Illinois Vehicle Code (the Code) (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.) entitled "Motor Carrier Safety Law" (the Law) is amended by Public Act 87-829. The Public Act defines the following terms: "commercial motor vehicle"; "farm to market agricultural transportation"; and "agricultural movements." By defining "commercial motor vehicle," the applicability threshold has changed for intrastate vehicles affected by the motor carrier safety regulations. Where previously only intrastate vehicles over 12,000 pounds (GVWR) were affected by the regulations, intrastate vehicles over 10,000 pounds (GVWR) are now subject to the motor carrier safety regulations. Also, by defining "commercial motor vehicle," intrastate carriers who operate vehicles designed to transport more than 15 persons, including the driver, or, who operate any vehicle transporting placarded hazardous materials, are now required to implement a drug testing program for their drivers.

By defining "farm to market agricultural transportation" and "agricultural movements," the Public Act relieves the farming industry from 49 CFR 395, "Hours of Service of Drivers," for certain times of the year and under certain conditions. The Public Act also establishes the applicability of the regulations for persons employing drivers and commercial motor vehicles which transport property or passengers in interstate or intrastate commerce.

Additionally, the Department is proposing to update the date of incorporation by reference of 49 CFR 390 as of October 1, 1990 to include the federal rulemaking adopted at 57 FR 3140, January 28, 1992. By

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Incorporating this rulemaking by reference, the Department's regulations will incorporate changes made in rulemaking Docket:

MC-91-6 [57 FR 3140 (January 28, 1992)]

Docket MC-91-6 amended the commercial motor vehicle marking requirements by making them applicable to every commercial motor vehicle subject to the federal motor carrier safety regulations.

The Department proposes to add to 49 CFR 390.21 by adding requirements for the marking of intrastate commercial motor vehicles.

Finally, the Department proposes to incorporate by reference the "North American Uniform Out-of-Service Criteria" which are part of the Commercial Vehicle Safety Alliance standards. The criteria are referenced in 92 Ill. Adm. Code 391, 395 and 396.

The Department changed the reference "92 Ill. Adm. Code 171.6" at Section 390.1010(c) to "92 Ill. Adm. Code 171.5" to be consistent with the Illinois Hazardous Materials Transportation Regulations which are currently being amended to reflect a renumbering change.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference?

Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Ms. Mary Roseberry
Regulations Unit
Illinois Department of Transportation
Division of Traffic Safety
P. O. Box 19212

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Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail:

DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety, 3rd Floor
Springfield

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to D.C.C.A.: May 12, 1992
- B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).
- C) Reporting, bookkeeping or other procedures required for compliance:
No new or additional reporting requirements are required for compliance with this Part.
- D) Types of professional skills necessary for compliance:
No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendments begins on the next page:

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TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 390
MOTOR CARRIER SAFETY REGULATIONS: GENERAL

SUBPART A: GENERAL APPLICABILITY AND DEFINITIONS

Section	Purpose
390.1000	General Applicability
390.1010	Definitions
390.1020	Rules of Construction
390.1030	

SUBPART B: GENERAL REQUIREMENTS AND INFORMATION

Section 390.2000 Incorporation by Reference of 49-GFR-390, Subpart-B

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15519, effective September 10, 1990; amended at 15 Ill. Reg. 13171, effective August 21, 1991; amended at 16 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL APPLICABILITY AND DEFINITIONS

Section 390.1010 General Applicability

- a) All Parts of the MCSR except for "Driving and Parking" (92 Ill. Adm Code 397) are applicable to:

1) All employers, employees and commercial motor vehicles which transport property or passengers in the interstate commerce subject to applicable parts of the Federal Motor Carrier Safety Regulations (FMC SR) - (49 GFR-390, -391, -392, -393, -395, -396 and -397); and

2) INTRASTATE CARRIERS-DRIVERS-AND-THE VEHICLES-HEY OPERATE-WHEN-THE VEHICLES-ARE-REGISTERED-FOR-A-GROSS WEIGHT-OF-12,001-POUNDS-OR-MORE, ARE-OPERATED-FOR-THE TRANSPORTATION-OF-PROPERTY-AND-USED-IN-THE-FURTHERANCE

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OF ANY COMMERCIAL OR INDUSTRIAL ENTERPRISE, WHETHER FOR HIRE OR NOT FOR HIRE, PERSONS EMPLOYING DRIVERS, DRIVERS AND COMMERCIAL MOTOR VEHICLES WHICH TRANSPORT PROPERTY OR PASSENGERS IN INTERSTATE OR INTRASTATE COMMERCE. (Section 18b-106 of the Law)

- b) 92 Ill. Adm. Code 397 applies to any employer, employee or motor carrier engaged in the transportation of hazardous materials by a motor vehicle which must be marked or placarded in accordance with "Carriage by Public Highway" (49 CFR 177.823) and to:
 - 1) Each officer or employee of the carrier who performs supervisory duties related to the transportation of hazardous materials; and
 - 2) Each person who operates or who is in charge of a motor vehicle containing hazardous materials.
- c) The provisions of 92 Ill. Adm. Code 397 do not apply to the transportation of hazardous materials cited in 92 Ill. Adm. Code 171.65, agricultural exception, when such commodities are transported from retailer to final agricultural end user, or between final end users from farm to farm in approved containers and in the amounts and manner specified.
- d) Nothing in the MCSR shall be construed to prohibit an employer from requiring and enforcing more stringent requirements relating to safety of operation and employee safety and health.
- e) The MCSR requires knowledge of and compliance with the following:
 - 1) Every employer shall be knowledgeable of and comply with all requirements contained in the MCSR which are applicable to that motor carrier's operations.
 - 2) Every driver and employee shall comply with all applicable requirements contained in the MCSR and shall be instructed accordingly.
 - 3) All motor vehicles' equipment and accessories required by the MCSR shall be maintained in compliance with all applicable performance and design criteria also set forth in the MCSR.

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f) Unless otherwise specifically provided, the requirements in the MCSR do not apply to:

- 1) All school bus operations as defined in Section 390.1020;
- 2) Transportation performed by the federal government, a state, or any political subdivision of a state, or an agency established under a compact between states that has been approved by the Congress of the United States. The accident reporting requirements of "Notification and Reporting of Accidents" (49 CFR 394), remain applicable to the entities identified in this subsection when engaged in the interstate charter transportation of passengers.
- 3) The occasional transportation of personal property by individuals not for compensation nor in the furtherance of a commercial enterprise;
- 4) The transportation of human corpses or sick and injured persons;
- 5) The operation of fire trucks and rescue vehicles while involved in emergency related operations; and
- 6) The private transportation of passengers.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 390.1020 Definitions

The following definitions apply to all Parts in the MCSR unless a specific Part expressly defines a term different than what is used below:

"AGRICULTURAL MOVEMENTS" MEANS THE OPERATION OF A MOTOR VEHICLE OR COMBINATION OF VEHICLES CONTROLLED AND OPERATED BY A PRIVATE MOTOR CARRIER OF PROPERTY THAT IS USING THE VEHICLE TO TRANSPORT NONHAZARDOUS OR HAZARDOUS AGRICULTURAL CROP PRODUCTION FERTILIZERS OR AGRICULTURAL CHEMICALS FROM A LOCAL SOURCE OF SUPPLY TO FARM OR FIELD, OR FROM ONE FARM OR FIELD TO ANOTHER, OR FROM FARM OR FIELD BACK TO THE LOCAL SOURCE OF SUPPLY. (Section 18b-101 of the Law)

"Alcohol concentration" (AC) means the concentration of alcohol in a person's blood or breath. When expressed as a percentage it means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath. "Federal Motor Carrier Safety Regulations: General" (49 CFR 390.5, October 1, 1990)

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"Bus" means any motor vehicle designed, constructed, and/or used for the transportation of passengers, including taxicabs. (49 CFR 390.5, October 1, 1990)

"BUSINESS DISTRICT" MEANS THE TERRITORY CONTIGUOUS TO AND INCLUDING A HIGHWAY WITHIN ANY 600 FEET ALONG SUCH HIGHWAY THERE ARE BUILDINGS IN USE FOR BUSINESS OR INDUSTRIAL PURPOSES, INCLUDING BUT NOT LIMITED TO, HOTELS, BANKS, OR OFFICE BUILDINGS WHICH OCCUPY AT LEAST 300 FEET OF FRONTAGE ON ONE SIDE OR 300 FEET COLLECTIVELY ON BOTH SIDES OF THE HIGHWAY. (Section 1-108 of the Illinois Vehicle Code (the Code))(Ill. Rev. Stat. 199189, ch. 95 1/2, par. 1-108)).

"Charter transportation of passengers" means transportation, using a bus, or a group of persons who, pursuant to a common purpose, under a single contract, at a fixed charge for the vehicle, have acquired the exclusive use of the vehicle to travel together under an itinerary either specified in advance or modified after having left the place of origin. (49 CFR 390.5, October 1, 1990)

"Code" means the Illinois Vehicle Code (Ill. Rev. Stat. 199189, ch. 95 1/2, pars. 1-100 et seq.)

"COMMERCE" MEANS TRADE, COMMERCE OR TRANSPORTATION WITHIN THE STATE. (Section 18b-101(1) of the Law)

"COMMERCIAL MOTOR VEHICLE (CMV)" MEANS--All vehicles operated in interstate transportation registered for a gross weight of 12,001 pounds or more, are operated for the transportation of property and used in the furtherance of any commercial or industrial enterprise, whether for hire or not for hire, (Section 18b-106 of the Law)--Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
The vehicle is designed to transport more than 15 passengers, including the driver; or
The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary of the United States Department of Transportation under the Hazardous Materials Transportation Act; (49-CFR-390.5, October 1, 1990) ANY SELF PROPELLED OR TOWED VEHICLE USED ON

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PUBLIC HIGHWAYS IN INTERSTATE AND INTRASTATE COMMERCE TO TRANSPORT PASSENGERS OR PROPERTY WHEN THE VEHICLE HAS A GROSS VEHICLE WEIGHT RATING OR GROSS COMBINATION WEIGHT RATING OF 10,001 OR MORE POUNDS; OR THE VEHICLE IS DESIGNED TO TRANSPORT MORE THAN 15 PASSENGERS, INCLUDING THE DRIVER; OR THE VEHICLE IS USED IN THE TRANSPORTATION OF HAZARDOUS MATERIALS IN A QUANTITY REQUIRING PLACARDING UNDER THE ILLINOIS HAZARDOUS MATERIALS TRANSPORTATION ACT. THIS DEFINITION SHALL NOT INCLUDE FARM MACHINERY, FERTILIZER SPREADERS, AND OTHER SPECIAL AGRICULTURAL MOVEMENT EQUIPMENT DESCRIBED IN SECTION 3-809 OF THE CODE NOR IMPLEMENTS OF HUSBANDRY AS DEFINED IN SECTION 1-130 OF THE CODE. (Section 18b-101 of the Law)

"Commercial Vehicle Inspections" means:

Level 1 - North American Standard Inspection: An inspection that includes each of the items specified under the North American Uniform Out-of-Service Criteria. As a minimum, North American Standard Inspections must include examination of: driver's license, medical examiner's certificate and waiver if applicable, alcohol and drugs, driver's record of duty status as required, hours of service, seat belt, vehicle inspection report, brake system, steering mechanism, wheels and rims, tires, coupling devices, suspension, frame, fuel system, exhaust system, windshield glazing and wipers, lighting devices, safe loading, and hazardous material requirements as applicable.

Level 2 - Walk Around Driver/Vehicle Inspection: An examination that, as a minimum, includes: driver's license, medical examiner's certificate, and waiver if applicable, driver's record of duty status as required, hours of service, seat belt, vehicle inspection report, fire extinguisher, warning devices for stopped vehicles, head lamps, turn signals, stop lamps, windshield and wipers, wheels, tires, fuel system, exhaust system, visible brake components, coupling devices, cargo securement, low air warning device, visible suspension components, and hazardous material requirements as applicable. It is contemplated that the walk-around driver/vehicle inspection will be conducted without inspecting underneath the vehicle.

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Level 3 - Driver Only Inspection: A roadside examination of the driver's license, medical certification and waiver if applicable, driver's record of duty status as required, hours of service, seat belt, and vehicle inspection report. (Commercial Vehicle Safety Alliance (CVSA), CVSA Operations Manual, January 1991)

"Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated. (49 CFR 390.5, October 1, 1990)

"DEPARTMENT" MEANS THE ILLINOIS DEPARTMENT OF TRANSPORTATION. (Section 18b-101 of the Law)

"Driving a commercial motor vehicle while under the influence of alcohol" means committing any one or more of the following acts in a CMV: Driving a CMV while the person's alcohol concentration is 0.04 percent or more; driving under the influence of alcohol, as prescribed by state law; or refusal to undergo such testing as is required by any state or jurisdiction in the enforcement of "Commercial Driver's License Standards; Requirements and Penalties" (49 CFR 383.51(b)(2)(1)(A) or (B)) or "Driving of Motor Vehicles" (49 CFR 392.5(a)(2)). (49 CFR 390.5, October 1, 1990)

"Driveaway-towaway operation" means any operation in which a motor vehicle constitutes the commodity being transported and one or more set of wheels of the vehicle being transported are on the surface of the roadway during transportation. (49 CFR 390.5, October 1, 1990)

"Driver" means any person who operates any commercial motor vehicle. (49 CFR 390.5, October 1, 1990)

"Employee" means:

A driver of a commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle);
A mechanic;

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A freight handler; and
Any individual, who in the course of his or her employment directly affects commercial motor vehicle safety, but such term does not include an employee of the United States, any state, any political subdivision of a state, or any agency established under a compact between states and approved by the Congress of the United States who is acting within the course of such employment. (49 CFR 390.5, October 1, 1990)

"Employer" means any person engaged in a business affecting commerce who owns or leases a commercial motor vehicle in connection with that business, or assigns employees to operate it, but such term does not include the United States, any state, any political subdivision of a state, or any agency established under a compact between states approved by the Congress of the United States.

"Exempt intracity zone" means the geographic area of a municipality or the commercial zone of that municipality described by the Interstate Commerce Commission (ICC) in "Commercial Zones" (49 CFR 1048), revised as of October 1, 1975. The descriptions are printed in Appendix F to the Motor Carrier Safety Regulations. A driver may be considered to operate a vehicle wholly within an exempt intracity zone notwithstanding any common control, management, or arrangement for a continuous carriage or shipment to or from a point without such zone. (49 CFR 390.5, October 1, 1990)

"Exempt motor carrier" means a person engaged in transportation exempt from economic regulation by the ICC under "Miscellaneous Motor Carrier Transportation Exemptions" (49 U.S.C. 10526). "Exempt motor carriers" are subject to the requirements set forth in the Motor Carrier Safety Regulations. (49 CFR 390.5, October 1, 1990)

"FARM TO MARKET AGRICULTURAL TRANSPORTATION" MEANS the operation of a motor vehicle controlled and operated by a farmer who is using the vehicle to transport agricultural products to or from a farm operated by the farmer, or to transport farm machinery or farm supplies to or from a farm operated by the farmer; and who is not using the commercial vehicle to transport hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Illinois Hazardous Materials Transportation Act. (Section 18b-101 of the Law)

is-a-private-motor-carrier-of-property;
is-using-the-vehicle-to-transport-agricultural-products
from-a-farm-owned-by-the-farmer, or-to-transport-farm
machinery-or-farm-supplies-to-or-from-a-farm-owned-by-the
farmer; and
is-not-using-the-vehicle-to-transport-hazardous-materials
of-a-type-or-quantity-that-requires-the-vehicle-to-be
placarded-in-accordance-with-"Carriage-by-Public
Highway"--(49-CFR-177.823),-October-1,-1989,--(49-CFR
390.5,-October-1,-1990)

"Farm vehicle driver" means a person who drives only a commercial motor vehicle that is --

Controlled and operated by a farmer as a private motor carrier of property;

Being used to transport either --

Agricultural products, or
Farm machinery, farm supplies, or both, to or from a farm;

Not being used in the operation of a for-hire motor carrier;
Not carrying hazardous materials of a type or quantity that required the vehicle to be placarded in accordance with 49 CFR 177.823; and

Being used within 150 air-miles of the farmer's farm. (49 CFR 390.5, October 1, 1990)

"Farmer" means any person who operates a farm or is directly involved in the cultivation of land, crops, or livestock which:

Are owned by that person; or
Are under the direct control of that person. (49 CFR 390.5, October 1, 1990)

"Federal Highway Administrator" means the chief executive of the Federal Highway Administration, an agency within the United States Department of Transportation. (49 CFR 390.5, October 1, 1990)

"FOR-HIRE" MEANS THE OPERATION OF A VEHICLE FOR COMPENSATION AND SUBJECT TO FEDERAL REGULATION BY THE INTERSTATE COMMERCE COMMISSION OR TO STATE REGULATION BY THE ILLINOIS COMMERCE COMMISSION (Section 1-124 of the Code).

"For-hire motor carrier" means a person engaged in the transportation of goods or passengers for compensation. (49 CFR 390.5, October 1, 1990)

"Gross Combination Weight Rating (GCWR)" means the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon. (49 CFR 390.5, October 1, 1990)

"Gross Vehicle Weight Rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single vehicle. (49 CFR 390.5, October 1, 1990)

"Hazardous material" means a substance or material which has been determined by the Secretary of the United States Department of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated. (49 CFR 390.5, October 1, 1990)

"Hazardous substance" means a material, and its mixtures or solutions, that is identified in the "Hazardous Materials Table and Hazardous Materials Communications" (49 CFR 172.101) when offered for transportation in one package, or in one transport vehicle if not packaged, and when the quantity of the material therein equals or exceeds the reportable quantity (RQ). This definition does not apply to petroleum products that are lubricants or fuels, or to mixtures or solutions of hazardous substances if in a concentration less than that shown in "General Information, Regulations and Definitions" (49 CFR 171.8) based on the reportable quantity (RQ) specified for the materials listed in 49 CFR 172.101. (49 CFR 390.5, October 1, 1990)

"Hazardous waste" means any material that is subject to the hazardous waste manifest requirements of the EPA specified in "Standards Applicable to Generators of Hazardous Waste" (40 CFR 262) or would be subject to these requirements absent an interim authorization to a State under "State Program Requirements" (40 CFR 123), Subpart F. (49 CFR 390.5, October 1, 1990)

"Illinois State Police" means any individual officer of the Illinois State Police.

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"IMPLEMENT OF HUSBANDRY" MEANS EVERY VEHICLE DESIGNED AND ADAPTED EXCLUSIVELY FOR AGRICULTURAL, HORTICULTURAL, OR LIVESTOCK RAISING OPERATIONS, INCLUDING FARM WAGONS, WAGON TRAILERS OR LIKE VEHICLES USED IN CONNECTION THEREWITH, OR FOR LIFTING OR CARRYING AN IMPLEMENT OF HUSBANDRY PROVIDED THAT NO FARM WAGON, WAGON TRAILER OR LIKE VEHICLE HAVING A GROSS WEIGHT OF MORE THAN 36,000 POUNDS, SHALL BE INCLUDED HEREUNDER. (Section 1-130 of the Code)

"Intermittent, casual, or occasional driver" means a driver who in any period of 7 consecutive days is employed or used as a driver by more than a single motor carrier. The qualification of such a driver shall be determined and recorded in accordance with the provisions of 49 CFR 391.63 or 391.65, as applicable. (49 CFR 390.5, October 1, 1990)

"INTERSTATE COMMERCE" MEANS TRANSPORTATION BETWEEN TWO OR MORE STATES OR TRANSPORTATION ORIGINATING IN ONE STATE AND PASSING INTO OR THROUGH OTHER STATES FOR DELIVERY IN ANOTHER STATE. (Section 1-133 of the Code)

"Intrastate commerce" means any trade, traffic, or transportation in Illinois which is not described in the term "interstate commerce." (49 CFR 390.5, October 1, 1990)

"Law" means the Illinois Motor Carrier Safety Law. (Ill. Rev. Stat. 199189, ch. 95 1/2, pars. 18b-100 et seq., as amended by P.A. 87-829, effective January 17, 1992.)

"Motor carrier" means a for-hire motor carrier or a private motor carrier of property. The term "motor carrier" includes a motor carrier's agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and or accessories. For purposes of the MCSR, the definition of "motor carrier" includes the terms "employer" and "exempt motor carrier." (49 CFR. 390.5, October 1, 1990)

"Motor Carrier Safety Regulations (MCSR)" means the requirements established in Parts 386, 390, 391, 392, 393, 395, 396 and 397 (92 Ill. Adm. Code: Chapter 1, Subchapter d).

"Motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Highway Administration, but does not include any vehicle, locomotive, or

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car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service. (49 CFR 390.5, October 1, 1990)

"Operator" -- see driver.

"Other terms" -- any other term used in the MCSR is used in its commonly accepted meaning, except where such other term has been defined elsewhere in the MCSR. In that event, the definition therein given shall apply. (49 CFR 390.5, October 1, 1990)

"PERSON" MEANS ANY NATURAL PERSON OR INDIVIDUAL, GOVERNMENTAL BODY, FIRM, ASSOCIATION, PARTNERSHIP, COPARTNERSHIP, JOINT VENTURE, COMPANY, CORPORATION, JOINT STOCK COMPANY, TRUST, ESTATE OR ANY OTHER LEGAL ENTITY OR THEIR LEGAL REPRESENTATIVE, AGENT OR ASSIGNS. (Section 18b-101(5) of the Law)

"Principal place of business" means a single location designated by the motor carrier, normally its headquarters, where records required by "Minimum Levels of Financial Responsibility for Motor Carriers" (49 CFR 387) and "Notification and Reporting of Accidents" (49 CFR 394) or "Qualification of Drivers" (49 CFR 391). "Hours of Service of Drivers" (49 CFR 395), and "Inspection, Repair and Maintenance" (49 CFR 396) will be maintained. Provisions in the MCSR are made for maintaining certain records at locations other than the principal place of business. (49 CFR 390.5, October 1, 1990)

"Private motor carrier of passengers" means a person who is engaged in an enterprise and provides transportation of passengers, by motor vehicle, that is within the scope of, and in the furtherance of that enterprise. (49 CFR 390.5, October 1, 1990)

"Private motor carrier of property" means a person who provides transportation of property by motor vehicle, and is not a for-hire motor carrier. (49 CFR 390.5, October 1, 1990)

"Regional Director" means the Regional Director, Office of Motor Carrier Safety, for a given geographical region of the United States. (49 CFR 390.5, October 1, 1990)

"Regularly employed driver" means a driver who, in any period of seven consecutive days, is employed or used as a driver solely by a single motor carrier. (49 CFR 390.5, October 1, 1990)

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"Residential district" means the territory adjacent to and including a highway which is not a business district and for a distance of 300 feet or more along the highway is primarily improved with residences. (49 CFR 390.5, October 1, 1990)

"School bus" means a passenger motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary of the United States Department of Transportation determines is likely to be significantly used for the purpose of transporting preprimary, primary or secondary school students to such schools from home or from such schools to home. (49 CFR 390.5, October 1, 1990)

"School bus operation" means the use of a school bus to transport only school children and school personnel from home to school and from school to home and for intrastate sanctioned school functions.

"Secretary" means the Secretary of the Illinois Department of Transportation.

"Special agent" - See 49 CFR Appendix B to Subchapter B of Chapter III.

"SPECIAL AGRICULTURAL MOVEMENT EQUIPMENT" MEANS A VEHICLE OF THE SECOND DIVISION HAVING A CORN SHELLER, A WELLDRIILLER, HAY PRESS, CLOVER HULLER, FEED MIXER AND UNLOADER OR OTHER FARM MACHINERY PERMANENTLY MOUNTED THEREON AND USED SOLELY FOR TRANSPORTING THE SAME, FARM WAGON TYPE TRAILERS HAVING A FERTILIZER SPREADER ATTACHMENT PERMANENTLY MOUNTED THEREON, HAVING A GROSS WEIGHT OF NOT TO EXCEED 36,000 POUNDS AND FARM WAGON TYPE TANK TRAILERS (I.E., NURSE TANKS) NOT TO EXCEED 2,000 GALLON CAPACITY. ALSO INCLUDES ANY SINGLE UNIT SELF-PROPELLED AGRICULTURAL FERTILIZER IMPLEMENT, DESIGNED FOR BOTH ON AND OFF ROAD USE, EQUIPPED WITH FLOTATION TIRES AND OTHERWISE ESPECIALLY ADAPTED FOR THE APPLICATION OF PLANT FOOD MATERIALS OR AGRICULTURAL CHEMICALS. (Section 3-809 of the Code)

"State" means a state of the United States and the District of Columbia and includes a political subdivision of a state. (49 CFR 390.5, October 1, 1990)

"Trailer" includes"

"Full trailer" means any motor vehicle other than a pole trailer which is designed to be drawn by another motor vehicle and so constructed that no part of its weight,

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except for the towing device, rests upon the self-propelled towing unit. A semitrailer equipped with an auxiliary front axle (converter dolly) shall be considered a full trailer. (49 CFR 390.5, October 1, 1990)

"Pole trailer" means any motor vehicle which is designed to be drawn by another motor vehicle and attached to the towing vehicle by means of a "reach" or "pole," or by being "boomed" or otherwise secured to the towing vehicle, for transporting long or irregularly shaped loads such as poles, pipes, or structural members, which generally are capable of sustaining themselves as beams between the supporting connections. (49 CFR 390.5, October 1, 1990)

"Semitrailer" means any motor vehicle, other than a pole trailer, which is designed to be drawn by another motor vehicle and is constructed so that some part of its weight rests upon the self-propelled towing vehicle. (49 CFR 390.5, October 1, 1990)

"Truck" means any self-propelled motor vehicle except a tractor, designed and/or used for the transportation of property. (49 CFR 390.5, October 1, 1990)

"Truck tractor" means a self-propelled motor vehicle designed and or used primarily for drawing other vehicles. (49 CFR 390.5, October 1, 1990)

"United States" means the 50 states and the District of Columbia. (49 CFR 390.5, October 1, 1990)

"US DOT" means the United States Department of Transportation.

(Source: Amended at 16 Ill. Reg. ____, effective ____)

SUBPART B: GENERAL REQUIREMENTS AND INFORMATION

Section 390.2000 Incorporation by Reference of 49-CFR-390, Subpart-B

- a) 49 CFR 390, Subpart B is hereby incorporated by reference as that Subpart of the FMCSR was in effect on October 1, 1990, as amended at 57 FR 3140, January 28, 1992, subject only to the exceptions in subsection (b). No later amendments to or editions of 49 CFR 390, Subpart B are incorporated.

- b) The following interpretations of, additions to and deletions from 49 CFR 390, Subpart B shall apply for the purposes of this Subpart.

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- 1) 49 CFR 390.9 is deleted and not incorporated.
- 2) Section 390.21(a) is modified to add to the Illinois Motor Carrier Safety Regulations the following:
- Self-propelled commercial motor vehicles operated by private intrastate carriers of property must be marked in accordance with paragraphs (b), (c), and (d) of this section. Self-propelled commercial motor vehicles operated by for-hire motor carriers under authority issued by the Illinois Commerce Commission (ILCC) may meet the requirements of this section by complying with the marking requirements set forth in Ill. Rev. Stat. 1991, ch. 95 1/2, par. 18c-4/01.
- 3) ~~2~~ Any reference to "this Part" in the incorporated material shall mean 92 Ill. Adm. Code 390.
- 4) ~~3~~ Any reference to "this Chapter" or "this Subchapter" in the incorporated material shall mean 92 Ill. Adm. Code: Chapter I, Subchapter d.
- 5) ~~4~~ Any reference to a section in the incorporated material shall be read to refer to that Section in the MCSR.
- 6) ~~5~~ Any reference to "Part 325 of Subchapter A" shall be read to refer to "Compliance with Interstate Motor Carrier Noise Emission Standards." (49 CFR 325, October 1, 1990)
- 7) ~~6~~ 49 CFR 390.23 applies only to commercial motor vehicles engaged in interstate commerce.
- c) The "North American Uniform Out-of-Service Criteria" is incorporated by reference, as that part of the Commercial Vehicle Safety Alliance standards that was in effect on February 15, 1992. No later amendments to or editions of the North American Uniform Out-of-Service Criteria are incorporated.

(Source: Amended at 16 Ill. Reg. ____, effective ____)

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- 1) Heading of Part: Qualification of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 391
- 3) Section Numbers:
391.1000
391.2000
Proposed Action:
Amend
Amend
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.
- 5) A complete description of the subjects and issues involved:
By this Notice of Proposed Amendments, the Department proposes to include applicable provisions of P.A. 87-829, effective January 17, 1992, into the regulations. Sections 391.1000(b), 391.2000(c)(6), and 391.2000(c)(7) are amended as a result of the new definition of "commercial motor vehicle" in the Public Act. Section 391.2000(c)(1) has been added to include the Illinois State Police's authority to place drivers out of service for violations of the "North American Uniform Out-of-Service Criteria" pertaining to qualifications of drivers.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Mary Roseberry
Regulations Unit
Illinois Department of Transportation
Division of Traffic Safety

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P. O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail:

DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety, 3rd Floor
Springfield

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to D.C.C.A.: May 12, 1992
- B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).
- C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.
- D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendments begins on the next page:

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TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 391
QUALIFICATION OF DRIVERS

Section
391.1000 General
391.2000 Incorporation by Reference of 49 CFR 391

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15560, effective September 10, 1990; amended at 15 Ill. Reg. 13189, effective August 21, 1991; amended at 16 Ill. Reg. 5362, effective March 23, 1992; amended at 16 Ill. Reg. _____, effective _____.

Section 391.1000 General

- a) This Part establishes the minimum qualifications for persons who drive commercial motor vehicles.
- b) This Part does not apply to a farm vehicle driver engaged in intrastate commerce, except a farm vehicle driver who drives an articulated (combination) vehicle that is registered for a gross weight of 12,001 pounds or more. (For limited exemptions for farm vehicle drivers of heavier articulated vehicles, see "Qualification of Drivers" (49 CFR 391.67).)

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 391.2000 Incorporation by Reference of 49 CFR 391

- a) The Department hereby incorporates 49 CFR 391 by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1990; as amended at 56 FR 40806, August 16, 1991, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 391 are incorporated.

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- b) References to subchapters, parts, subparts, section or paragraphs shall be read to refer to the appropriate citation in 49 CFR 391.
- c) The following interpretations of, additions to and deletions from 49 CFR 391 shall apply for purposes of this Part.
- 1) Authorized Illinois State Police shall place drivers out-of-service for violations of the "North American Uniform Out-of-Service Criteria" as incorporated by reference at 92 Ill. Adm. Code 390.2000.
- 2) Section 391.11(b)(1) does not apply to the operator of a commercial motor vehicle used in intrastate commerce.
- 3) Sections 391.41(b)(3) and (b)(10) do not apply to the operator of a commercial motor vehicle used in intrastate transportation, unless such driver has a record of accidents which would indicate a lack of ability to operate a vehicle in a safe manner, provided the operator, immediately prior to July 29, 1986, was eligible and licensed to operate a commercial motor vehicle; was engaged in operating such vehicle; became disqualified through the adoption of 49 CFR 391 on July 29, 1986, by reason of the application of sections 391.41(b)(3) or (b)(10) with respect to physical conditions existing at that time.
- 4) ~~Section 391.43 is amended to add paragraph 391.43(f)(4) which Section 391.43(f)(4) is added to the Illinois Motor Carrier Safety Regulations and reads as follows:~~
- If a medical examiner determines that the driver is qualified to drive only in intrastate transportation due to the application of the provisions of Section 391.2000(c)(3)(2) above, the following shall appear on the medical examiner's certificate: "Qualified only for intrastate transportation in Illinois."
- 5) Section 391.69 is deleted and not incorporated.
- 6) Section 391.83(a) is modified to cause 49 CFR 391, Subpart H to apply to motor carriers and persons who operate a commercial motor vehicle, as defined in 92 Ill. Adm. Code 390.1020 ~~subsection (e)(6)~~ in either interstate or intrastate commerce.

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- 6) ~~For the purposes of the application of 49 CFR 391, Subpart H, the definition of "Commercial Motor Vehicle" in Section 391.85 is not incorporated and the following definition is provided: "Commercial Motor Vehicle" means any vehicle operated in intrastate commerce for the transportation of property in any commercial enterprise for hire or not for hire, with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more, or any self-propelled or towed vehicle used on public highways in intrastate commerce to transport passengers or property when:~~
- A) ~~the vehicle has a gross vehicle weight rating or gross combination weight rating of 26,001 or more pounds; or~~
- B) ~~the vehicle is designed to transport more than 15 passengers, including the driver; or~~
- C) ~~the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the provisions of the Illinois Hazardous Materials Transportation Regulations (42 Ill. Adm. Code Chapter I, Subchapter 6).~~
- 7) The definition of "commercial motor vehicle" in Section 391.85 is modified to include such vehicles operated in either interstate or intrastate commerce, and to not include farm machinery, fertilizer spreaders or other special agricultural movement equipment or implements of husbandry used in intrastate commerce.
- 8) Section 391.87(g) is not incorporated and the following substituted therefor:
- A motor carrier shall produce upon demand and shall permit the Illinois Department of Transportation or Administrator of the US DOT to examine all records related to the administration and results of controlled substance testing performed under this Part.
- 9) The schedule established in Sections 391.93(b) and (c) for implementation of a controlled substance testing program is modified as follows:

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- A) The provisions of Section 391.93(b) apply only to motor carriers and operators of commercial motor vehicles engaged in interstate commerce.
- B) The provisions of Section 391.93(c) apply only to motor carriers and operators of commercial vehicles engaged in interstate commerce.
- C) Motor carriers subject to the provisions of Sections 391.93(b) and (c) shall include any driver who operates a commercial motor vehicle in intrastate commerce in the carrier's controlled substance testing program not later than December 21, 1990. (49 CFR 391.93)
- D) Part 391, Subpart H shall apply to motor carriers and drivers who operate commercial motor vehicles only in intrastate commerce effective December 21, 1990. (49 CFR 391.93)

10)9+

For the purposes of this Part, the term "Reportable Accident" means an occurrence involving a commercial motor vehicle resulting in:

The death of a human being; or
 Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 The total damage to all property aggregating \$4,400 or more based upon actual costs or reliable estimates.
 The term "reportable accident" does not include:
 An occurrence involving only boarding and alighting from a stationary motor vehicle; or
 An occurrence involving only the loading or unloading of cargo; or
 An occurrence in the course of farm-to-market agricultural transportation (as defined in 92 Ill. Adm. Code 390.5) by the motor carrier; or
 An occurrence in the course of the operation of a passenger car by a motor carrier and which is not transporting passengers for hire or hazardous materials of a type and quantity that requires the vehicle to be marked or placarded in accordance with 92 Ill. Adm. Code 177 (49 CFR 394.3, October 1, 1990).

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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- | 1) The Heading of the Part: Procedural Rules | 2) Code Citation: 56 Ill. Adm. Code 5300 | 3) Section Numbers: | Adopted Action: |
|--|--|---------------------|-----------------|
| | | 5300.10 | Amended |
| | | 5300.20 | Amended |
| | | 5300.30 | Amended |
| | | 5300.40 | Amended |
| | | 5300.210 | Amended |
| | | 5300.310 | Amended |
| | | 5300.450 | Amended |
| | | 5300.460 | Amended |
| | | 5300.550 | Repealed |
| | | 5300.560 | Amended |
| | | 5300.570 | Repealed |
| | | 5300.610 | Amended |
| | | 5300.620 | Amended |
| | | 5300.630 | Amended |
| | | 5300.640 | Amended |
| | | 5300.650 | Amended |
| | | 5300.660 | Amended |
| | | 5300.720 | Amended |
| | | 5300.730 | Amended |
| | | 5300.735 | Added |
| | | 5300.745 | Added |
| | | 5300.750 | Amended |
| | | 5300.760 | Amended |
| | | 5300.765 | Added |
| | | 5300.770 | Repealed |
| | | 5300.782 | Repealed |
| | | 5300.783 | Repealed |
| | | 5300.784 | Repealed |
| | | 5300.785 | Repealed |
| | | 5300.786 | Repealed |
| | | 5300.787 | Repealed |
| | | 5300.825 | Amended |
| | | 5300.865 | Amended |
| | | 5300.920 | Amended |
| | | 5300.930 | Amended |
| | | 5300.940 | Amended |
| | | 5300.950 | Amended |
| | | 5300.960 | Amended |
| | | 5300.1145 | Added |
| | | 5300.1150 | Amended |
| | | 5300.1160 | Amended |

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- 4) Statutory Authority: Implementing Article 8 and authorized by Section 8-102(E) of the Illinois Human Rights Act (Ill.Rev.Stat. 1991, ch. 68, par. 8-102(E))
- 5) Effective Date of Adopted Amendments: June 1, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 15, 1992
- 9) Notice of Proposal Published in Illinois Register: July 19, 1991, 29 Ill. Reg. 10521
- 10) Has JCER issued a Statement of Objections to this (these) rule(s)? No
- 11) Differences between proposal and final version:

In all citations to the Human Rights Act, Ill. Rev. Stat., ch. 68, par. 1-101, et seq., the year 1989 was changed to 1991.

In the Authority note, the words "and 8-102(E)" following "et seq." were deleted.

In the Table of Contents for Part 5300, Procedural Rules, the following changes were made:

- a) The title of Section 5300.765 was changed by adding a slash after the word "and" and the word "or" after the slash.
- b) The title of Section 5300.865 was changed by striking the words "Number of Copies", and adding the words "Styles of Documents for Commission Consideration".
- c) In Section 5300.1020, the space before the word "Motion" was deleted.

In Section 5300.10, the following changes were made:

- a) In the definition of the term "Act", spaces were inserted in the citation to the Illinois Revised

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Statutes between the abbreviations "Ill." and "Rev." and "Rev." and "Stat.".

- b) In the definition of the term "Aggrieved Party", language was added so that the definition conforms with the definition in Paragraph 1-103(B) of the Human Rights Act. The language "or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur" was added after the word "violation". The text was italicized starting with "Aggrieved Party" and ending with "occur". The term "(Section 1-103 of the Act)" was added after the word "occur". The term "of the Act" was added after the term "Article 3".
- c) In the definition of the term "Civil Rights Violation", 2-105(C) was added to the list of practices constituting civil rights violations between "2-103" and "3-102", and 5A-102 was added to the list between "5-102" and the term "and 6-101".
- d) The definition of the term "Commissioner", which was omitted in error from the first notice, was inserted between the definition of the term "Commission" and the definition of the term "Complainant".
- e) In the definition of the term "Complainant", the words "Charge" and "Complaint" were capitalized, the term "Aggrieved Party" was capitalized, and the following repeated language was deleted: "said term shall have the same meaning in connection with a complaint filed by the Department itself;".
- f) In the definition of the term "Complaint", the word "Complaint" and the term "Aggrieved Party" were capitalized.
- g) In the definition of the word "Party", the words "Person", "Charge", "Party", "Complainant", and "Respondent" were capitalized wherever they occurred.
- h) In the definition of the term "Respondent", the words "Respondent", "Person", "Charge", and "Complaint" were capitalized wherever they occurred.

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In Section 5300.20, in the third sentence the term "excluded in" was changed to "excluded from".

In Section 5300.30, a comma was added after the word "delivery" in Subsection c.

In Section 5300.40, the following changes were made:

- a) The word "Party" was capitalized wherever it occurred.
- b) Subsection a was changed by 1) eliminating the term "to be filed" from between the words "required" and "by"; 2) removing the strike out from the words "to be filed with the Commission"; 3) striking out the semicolon following "office" and substituting an underlined period; and 4) striking out the language following the semicolon which reads: "provided that an item properly received by mail shall be deemed to have been filed when postmarked, properly addressed and posted for delivery." The following language was added after the word "delivery": "An item properly received by mail shall be deemed to have been filed on the date specified in the applicable proof of mailing. Proof of mailing shall be made by filing with the Commission a certificate of the attorney or the affidavit of a person who is not an attorney, stating the date and place of mailing and the fact that proper postage was prepaid. The certificate or affidavit shall be filed with the Commission at the same time the item to which it refers is filed. If the certificate or affidavit does not accompany an item filed by mail, an item received by mail shall be deemed to have been filed when postmarked, properly addressed and posted for delivery."

- c) Subsection b was changed by eliminating the word "good" which appeared in front of the term "white paper".

- d) Subsection e was changed by 1) deleting the "s" from the word "Request"; 2) placing the word "a" before the word "Request"; 3) inserting the language "and documents in support of a Request for Review" between the term "Request for Review" and the word "if"; 4) inserting a "(5)" was between the words "five" and "copies"; and 5) adding this language to the

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Subsection: If the document is to be considered by the full Commission, then the original and fifteen (15) copies must be filed. If a document is a Request for Review or is in support of a Request for Review, then only the original must be filed. The following documents are considered documents in support of a Request for Review: motion for extension of time, response to Request for Review, reply to response to Request for Review, and argument in support of Request for Review."

In Section 5300.210, the following changes were made:

- a) The words "Party", "Charge", "Complaint", "Section", and "Subsection" were capitalized wherever they occurred.
- b) In Subsection a)1)c), the language "Subpoenas issued in anticipation of a hearing may issue at any time subsequent to the time all Respondents have answered the Complaint or are required to answer the Complaint and not prior to that time, except by agreement of the Parties or with leave of the Administrative Law Judge." was placed before the sentence "This Section does not confer a right on a Party to take a deposition of any person."
- c) In Subsection b, the words "An Act in relation to the compensation of Sheriffs, Coroners, County Treasurers, County Clerks, Recorders and Auditors and their necessary clerk hire, stationery, fuel and other expenses, in counties of less than 2,000,000 inhabitants" were struck through and the words "the fees and salaries Act" were added after the struck through language.
- d) In Subsection b, spaces were inserted between the abbreviations in the citation to the Illinois Revised Statutes for "Fees and Salary Act", and were placed between "Ill." and "Rev." and "Rev." and "Stat."
- e) In Subsection b, the misspelling of the word "Recorders" in the struck through language was corrected.

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f) In Subsection c, the word "the" has been struck through in the phrase "the time"; the words "at which" following "time" have been deleted; the word "when" was inserted after the word "time"; and the words "at which" were inserted after the word "place".

g) In Subsection e, the "1" and the "0" in the words "Section 8-104(E)" have been underlined.

In Section 5300.450, the following changes were made:

- a) The words "Subsection" and "Party" and the term "Request for Review" were capitalized wherever they occurred.
- b) In Subsection a, the term "person filing" was changed to "Party filing".

c) In Subsection b, the word "request" was struck through and the term "Request for Review" was added in its place, and the word "will" in the third sentence was changed to "shall".

In Section 5300.460, the term "Request for Review" was capitalized wherever it occurred.

In Section 5300.550, the term "pro se" is printed without the use of italics.

In Section 5300.560, the following changes were made:

- a) The words "Complainant", "Respondent", "Complaint", "Party", and "Parties" were capitalized wherever they occurred.

b) In Subsection a, the language "the Complaint is filed by the Complainant pursuant to Section 7A-102(G)(2) of the Act" was placed in a Subsection and numbered 11. In Subsection 11, the "t" in the word "The" was capitalized, a comma was added after the word "Act", and the word "or" was added after the comma. In Subsection a, a Subsection numbered "21" was added which reads "The appearance explicitly limits representation to proceedings conducted by the Department."

In Section 5300.610, the following changes were made:

- a) The term "Aggrieved Party" and the words "Parties" and "Complaint" were capitalized wherever they occurred.
- b) The language "pursuant to Section 7A-102(G) of the Act." was inserted between the words "or" and "by".

In Section 5300.620, the term "Aggrieved Party" and the words "Complaint" and "Parties" were capitalized wherever they occurred.

In Section 5300.630, the following changes were made:

- a) The words "Complaint" and "Parties" and the term "Notice of Hearing" were capitalized wherever they occurred.

b) The language "the Complaint has been assigned" was inserted between the words "whom" and "all". A period was placed after the word "assigned"; and the "a" in the word "all" was capitalized. The language "to such Administrative Law Judge" was added to the last sentence. The struck through language "All parties shall be notified in advance of the Administrative Law Judge who shall conduct the hearing." was placed in front of the sentence "All Parties shall be notified in the Notice of Hearing of the Administrative Law Judge to whom the Complaint has been assigned." The language "All pleadings and other documents related to the Complaint shall be directed to such Administrative Law Judge." was placed last in the Subsection.

In Section 5300.640, the words "Respondent", "Complaint", and "Parties" were capitalized wherever they occurred.

In Section 5300.650, the words "Parties" and "Subsection" and the term "Recommended Order and Decision" were capitalized wherever they occurred.

In Section 5300.660, the following changes were made:

- a) The words "Respondent", "Party", "Parties", "Complaint", "Complainant", "Charge", and "Person" were capitalized wherever they occurred.

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- b) In Subsection a) 3), the word "a" was deleted from between the words "of" and "the".
- In section 5300.720, the following changes were made:
- a) The words "Respondents", "Party", and "Parties" were capitalized wherever they occurred.
- b) In Subsection a) 2), a comma was added between the words "days" and "stating"; and the phrase "by written request served upon all other parties," appearing near the beginning of the paragraph was set off by commas placed before and after the phrase.
- c) In Subsection a) 3) A), the last sentence was struck through. This sentence reads, "The parties may take depositions by agreement."
- d) In Subsection a) 3) B), language was added which states that depositions taken either for good cause or by agreement require the leave of the Administrative Law Judge. The language "A Party may take discovery depositions only upon leave of the Administrative Law Judge and for good cause shown." was eliminated. It was replaced with the language "A Party may take discovery depositions either for good cause shown or by agreement. A discovery deposition taken for good cause or by agreement may be taken only upon leave of the Administrative Law Judge."
- e) In Subsection e, the words Methods of were placed at the beginning of the sentence, the "D" in Discovery was made lower case, and the word "state" was capitalized.

In section 5300.730, the following changes were made:

- a) The words "Complaint", "Complainant", "Respondent", "Party", "Parties" and the term "Notice of Hearing" were capitalized wherever they occurred.
- b) Throughout, the term "summary judgment" was changed to the term "summary decision".
- c) In Subsection a) 3) B), a semicolon and the word "and" were added to the end of the Subsection after the word "part".

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- d) In Subsection b, the term "Section 5300.730(d) of this Part" was changed to read "5300.730(f) of this Part".
- e) In Subsection b) 2), the word "and" was added to the end of the Subsection after the word "Respondent".
- f) In Subsections b and d, the word order was changed so that the language "for motions to dismiss the Complaint and motions for summary decision" follows the language "as provided in Section 5300.730(f) of this Part".
- g) In Subsection d, the phrase "Notice of the Hearing" was changed to "Notice of Hearing".
- h) In Subsection d) 1), the word "on" was added after the term "4:00 p.m."
- i) In Subsection d) 2), the word "on" following the first occurrence of the term "Post Office Box" was deleted and the term "no later than" substituted.
- j) Throughout, Subsections which had been improperly identified as Sections were retitled "Subsection".
- In section 5300.735, the following changes were made:
- a) The words "Party", "Party's", "Complaint", "Complainant", and "Respondent" were capitalized wherever they occurred.
- b) In Subsection a, the words "Section 8A-102(I) or" were inserted between the words "to" and "8B-102(J)" and the word "the" was placed before the words "Complainant" and "Respondent".
- c) In Subsection b, the term "interim summary recommended order" was changed to "interim recommended summary order."
- In section 5300.745, the following changes were made:
- a) The word "Party" was capitalized wherever it occurred.
- b) In Subsection c, the phrase "If good faith requires that a Party deny only the part" was changed to "If good faith requires that a Party deny only a part";

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and the phrase "he shall specify so much of it as is true" was changed to "the Party shall specify so much of it as is true".

- c) In Subsection d, the word "reasonably" was changed to "seasonably".

In Section 5300.750, the following changes were made:

- a) The words "Party" and "Parties" were capitalized wherever they occurred.
- b) In the citation to the Human Rights Act, spaces were inserted between "Ill." and "Rev." and "Stat." and 1991 was placed after 1987.
- c) In Subsection a, an underlined comma was placed after the word "hearing"; and the word "Section" was inserted between the word "in" and the term "2-1102".
- d) In Subsection b) 3), the word "his" was changed to "its" so that the phrase "his appearance at the hearing" now reads, "its appearance at the hearing".

In Section 5300.760, the following changes were made:

- a) In Subsection b, the citation to the Illinois Human Rights Act was corrected to read 1991 instead of 1987. The strikeout for "1981" was placed before "1991".
- b) In Subsection b, the citation was appropriately enclosed in parenthesis so that a parenthesis follows "\$ 1012(c)".
- c) The words "Complaint" and "Parties", and the term "Recommended Liability Determination" were capitalized wherever they occurred.
- d) In Subsection e) 1), the term "Section 8A-104 or" was inserted between the word "under" and the term "Section 8B-104". The comma was eliminated after the first occurrence of the word "Complaint".
- e) In Subsections f)1) and f)2), the period was removed after the last "0" in the phrase "Sections 5300.910 et seq."

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- f) In the final paragraph, the word "Subsections" was changed to "Subsection".

In Section 5300.765, the following changes were made:

- a) The title of the Section was changed to Petitions for Fees and/or Costs.
- b) The words "Party" and "Parties" were capitalized wherever they occurred.
- c) In Subsection a) 3), the word "and" was added at the end of the Subsection.
- d) In Subsection c, the word "an" was inserted between the words "for" and "award" and the term "and/or costs" was placed after each occurrence of the word "fees".
- e) In Subsection e, the word "may" was inserted between the word "and" and "take" and the term "and costs" was changed to "and/or costs".
- f) In Subsection f, the term "and costs" was changed to "and/or costs".
- g) Throughout, Subsections which had been improperly identified as Sections were retitled "Subsection".
- In Section 5300.825, the following changes were made:
- a) The word "Parties" was capitalized wherever it occurred.
- b) The term "10-day response period" was changed to "ten (10) day response period".
- In Section 5300.865, the following changes were made:
- a) The word "Section" was capitalized wherever it occurred.
- b) The title of the Subsection, "Number of Copies" was struck through, and replaced with the title, "Style of Documents for Commission Consideration".

In Section 5300.920, the following changes were made:

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- a) The words "Party" and "Parties" and the term "Recommended Order and Decision" were capitalized wherever they occurred.

- b) The term "30 pages" was changed to "thirty (30) pages".

In Section 5300.930, the following changes were made:

- a) The words "Party" and "Parties" and the term "Recommended Order and Decision" were capitalized wherever they occurred.

- b) The term "30 pages" was changed to "thirty (30) pages".

In Section 5300.940, the following changes were made:

- a) The word "Parties" was capitalized wherever it occurred.

- b) The word "Sections" in the first sentence was changed to "Section".

In Section 5300.950, the following changes were made:

- a) The words "Party" and "Parties" and the term "Recommended Order and Decision" were capitalized wherever they occurred.

- b) The phrase "filed a written notice of intention to participate" was corrected to read "file a written notice of intention to participate".

In Section 5300.1145, the following changes were made:

- a) In Subsection b, spaces were inserted between the words in the citation to Illinois Revised Statutes between the abbreviations "Ill." and "Rev." and "Rev." and "Stat."

- b) In Subsection c, the line of text which stated "amount of damages which accrued as of the end of the" was eliminated.

In Section 5300.1150, the following changes were made:

- a) The words "Party" and "Parties" and the term "Order and Decision" were capitalized wherever they occurred.

- b) A "(6)" was inserted after "six" in Subsection c.

In Section 5300.1160, the words "Party" and "Parties" and the terms "Supplemental Order and Decision" and "Recommended Order and Decision" were capitalized wherever they occurred.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency rule amendment currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: To bring the rules into conformity with revisions of the Human Rights Act; to clarify the exact requirements for practice before the Human Rights Commission; and to simplify practice before the Human Rights Commission.

- 16) The name, address and telephone number of the person to whom information and questions regarding the adopted rules shall be directed:

Mary Stewart
Assistant General Counsel
Illinois Human Rights Commission
100 West Randolph Street
Suite 5-100
Chicago, IL 60601
(312) 814-6269

The full text of the Adopted Amendments begins on the next page:

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TITLE 56: LABOR AND EMPLOYMENT
CHAPTER XI: HUMAN RIGHTS COMMISSION

PART 5300

PROCEDURAL RULES

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5300.10	Definition of Terms
5300.20	Computation of Time
5300.30	Service of Pleadings
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SUBPART B: RECORDS AND WITNESSES

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5300.210	Subpoenas
5300.220	Access to Commission Records

SUBPART C: SETTLEMENTS

Section	
5300.310	<u>Fitting-of Settlement Agreements</u>
5300.320	Consideration by Commission
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SUBPART D: REQUEST FOR REVIEW

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5300.410	Filing with Commission
5300.420	Notice by Commission
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5300.440	Reply to Response
5300.450	Extensions of Time
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5300.480	Decision
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SUBPART E: HEARINGS

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5300.510	General
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5300.530	Powers and Duties of Administrative Law Judge
5300.540	Ex Parte Communications

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5300.550	Form of Pleadings and Other Papers <u>(Repealed)</u>
5300.560	Appearances
5300.570	Place and Manner of Filing Papers <u>(Repealed)</u>

SUBPART F: COMPLAINT AND ANSWER

Section	
5300.610	Filing of Complaint
5300.620	Service of Complaint
5300.630	Notice of Hearing
5300.640	Answer
5300.650	Amendments to Pleadings
5300.660	Substitution and Addition of Parties

SUBPART G: DISCOVERY AND PRACTICE

Section	
5300.710	Prehearing Memorandum
5300.720	Discovery
5300.725	Filing of Discovery Material
5300.730	Motions and Objections
5300.735	Summary Decision
5300.740	Interlocutory Appeals
5300.745	Admission of Fact or of Genuineness of Documents
5300.750	Hearing Procedures
5300.760	Preparation of Recommended Order and Decision
5300.765	Petitions for Fees and/or Costs
5300.770	Settlement <u>(Repealed)</u>
5300.780	Voluntary Dismissal
5300.782	Authority for Sections 5300.783-5300.787 <u>(Repealed)</u>
5300.783	Fees and Costs <u>(Repealed)</u>
5300.784	Motion for Fees and of Costs <u>(Repealed)</u>
5300.785	Responses to Motions for Fees or Costs <u>(Repealed)</u>
5300.786	Extensions of Time <u>(Repealed)</u>
5300.787	Supplemented Record <u>(Repealed)</u>

SUBPART H: PRACTICE IN FRONT OF THE COMMISSION

Section	
5300.805	Scope of Motion Practice
5300.810	Recommended Order Not Final (Renumbered)
5300.815	Form of Motions and Objections
5300.820	Exceptions to Recommended Order (Renumbered)
5300.825	Presentation of Motions
5300.830	Responses to Exceptions (Renumbered)
5300.835	Emergency Motions
5300.840	Extension of Time (Renumbered)
5300.845	Agreed Motions and Orders
5300.850	Oral Argument (Renumbered)

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5300.855 Extension of Time
 5300.860 Form of Pleadings and Other Papers (Renumbered)
 5300.865 Number-of-Copies Style of Documents for Commission Consideration
 5300.870 Ex Parte Communications (Renumbered)
 5300.880 Brief of Department (Renumbered)

SUBPART I: REVIEW OF RECOMMENDED ORDER AND DECISION

Section
 5300.910 Recommended Order Not Final
 5300.920 Exceptions to Recommended Order
 5300.930 Responses to Exceptions
 5300.940 Extensions of Time
 5300.950 Oral Argument
 5300.960 Form of Pleadings and Other Papers
 5300.970 Ex Parte Communications
 5300.980 Brief by Department

SUBPART J: REMANDMENT

Section
 5300.1010 Request to Present Additional Evidence
 5300.1020 Motion for Rehearing Before an Administrative Law Judge
 5300.1030 Remandment on the Commission's Own Motion
 5300.1040 Remand Proceedings
 5300.1050 Rehearing Before Full Commission (Renumbered)
 5300.1060 Modification of Commission Order (Renumbered)

SUBPART K: ORDER AND DECISION OF THE COMMISSION

Section
 5300.1110 Commissioners Participating
 5300.1120 Standard of Review
 5300.1130 Proposal for Decision
 5300.1140 Order and Decision
 5300.1145 Interest
 5300.1150 Rehearing Before Full Commission
 5300.1160 Modification of Commission Order

AUTHORITY: Implementing Article 8 and authorized by Section 8-102(E) of the Illinois Human Rights Act (Ill. Rev. Stat. 1991, ch. 68, pars. 8-101 et seq.).

SOURCE: Filed November 15, 1975 by the Fair Employment Practices Commission; emergency amendment at 2 Ill. Reg. 12, p. 11, effective March 24, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 9, p. 40, effective March 1, 1979; amended at 3 Ill. Reg. 15, p. 100, effective April 9, 1979; transferred to the Human Rights Commission by the Illinois Human Rights Act effective July 1, 1980; emergency amendment at 4 Ill. Reg. 39, p. 334, effective September 17, 1980 for a maximum of 150 days; amended at 5 Ill. Reg. 2709, effective March 2,

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1981; amended at 7 Ill. Reg. 9298, effective July 25, 1983; codified at 8 Ill. Reg. 18887; amended at 9 Ill. Reg. 6207, effective April 24, 1985; amended at 16 Ill. Reg. 7838, effective June 1, 1992.

SUBPART A: INTERPRETATIONS

Section 5300.10 Definition of Terms

Where used in this Part, unless the context otherwise clearly requires:

The term "Act" shall mean the Illinois Human Rights Act (Ill. Rev. Stat. 1991, ch. 68, par. 1-101 through ~~11-101~~ 10-103).

The term "Administrative Law Judge" shall refer to a hearing officer appointed by the Commission pursuant to Section 8-102(D) of the Act.

The term "Aggrieved Party" shall mean a Person who is alleged or proven to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 of the Act that is about to occur. (Section 1-103 of the Act)

The term "Charge" shall mean an allegation of a civil rights violation filed with or initiated by the Department in accordance with the provisions of the Act and this Part.

The term "Civil Rights Violation" shall refer to any of the acts or practices constituting civil rights violations under Sections 2-102, 2-103, 2-105(C), 3-102, 3-102.1, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of the Act.

The term "Commission" shall mean the Illinois Human Rights Commission.

The term "Commissioner" shall mean any duly appointed member of the Human Rights Commission including, unless the context otherwise requires, the Chairperson.

The term "Complainant" shall mean a person who files a eCharge with the Department, including the Department in the case of a charge initiated by the Department itself; said term shall have the same meaning in connection with a eComplaint filed by the Department or by an Aggrieved Party with the Commission.

The term "Complaint" shall mean a written eComplaint for hearing filed by the Department or by an Aggrieved Party with the Commission in accordance with the Act and this Part.

The term "Department" shall mean the Department of Human Rights.

The term "Director" shall mean the Director of the Department or a

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duly authorized designee.

The term "Executive Director" "Executive--Assistant" shall mean the Executive Director Executive--Assistant of the Commission or a duly authorized designee.

The term "Party" shall refer to a pPerson designated as eComplainant or rRespondent in a eCharge or e Complaint.

The term "Person" shall have the same meaning as prescribed in Section 1-103 of the Act.

The term "Respondent" shall mean a pPerson against whom a eCharge or eComplaint is filed in accordance with the Act and this Part.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.20 Computation of Time

For purposes of computing any period of time provided for under the Act or this Part, the date of any act, event, service or default from which such period of time begins to run shall not be included. If the last day of any such period of time shall fall on a Saturday, Sunday or legal State holiday, such time period shall continue to run until the end of the next day which is not a Saturday, Sunday or legal State holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal State holidays shall be excluded in from the computation. Whenever a time period commences upon a pPerson's receipt of service or notice, and service is by mail, receipt shall be presumed deemed to occur on the fourth day after mailing.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.30 Service of Pleadings

a) Manner of Service. Unless otherwise provided, all motions, orders, notices and other pleadings required to be served under the Act or this Part shall be served either personally or by first-class mail.

b) Proof of Service. Where service is required, proof of service shall be filed with the Commission consisting of the verified statement of the individual making service, specifying the manner and date of such service. Proof of service shall be filed when service is required. Proof of service shall consist of the statement of the individual making service, specifying the manner and date of such service. If the Person making service is not an attorney, the statement shall be verified.

c) Effective Date of Service by Mail. Service by mail shall be deemed

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complete four days after mailing of the document, properly addressed and posted for delivery, to the pPerson to be served.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.40 Filing with the Commission

a) All documents and pleadings required by the Act or this Part to be filed with the Commission shall be deemed filed when received in the Commission's Chicago or Springfield office; provided, that an item properly received by mail shall be deemed to have been filed when properly received by mail shall be deemed to have been filed on the date specified in the applicable proof of mailing. Proof of mailing shall be made by filing with the Commission a certificate of the attorney, or the affidavit of a person who is not an attorney, stating the date and place of mailing and the fact that proper postage was prepaid. The certificate or affidavit shall be filed with the Commission at the same time the item to which it refers is filed. If the certificate or affidavit does not accompany an item filed by mail, an item received by mail shall be deemed to have been filed when postmarked, properly addressed and posted for delivery.

b) All papers and copies thereof for filing and service shall be typewritten on white paper 8 1/2 by 11 inches in approximate size. Copies may be reproduced by any printing or duplicating process providing a clear image.

c) Each document shall bear on the first page the caption, descriptive title, the Charge numbers assigned by the Department, and the Administrative Law Section (ALS) file number, and shall identify the Party on whose behalf it is to be filed. The final page of each document shall contain the name, address, and telephone number of the attorney in active charge of the case, or of the Party if appearing pro se.

d) If the matter is pending before an Administrative Law Judge, the original and one copy of each document shall be filed.

e) Except for a Request for Review and documents in support of a Request for Review, if a document is to be considered by a Commission panel, then the original and five (5) copies of the document must be filed. If the document is to be considered by the full Commission, then the original and fifteen (15) copies must be filed. If a document is a Request for Review or is in support of a Request for Review, then only the original must be filed. The following documents are considered documents in support of a Request for Review: motion for extension of time, response to Request for Review, reply to response to Request for Review, and argument in support of Request for Review.

f) Except as otherwise provided, all pleadings and other papers required to be served on a Party shall be filed as follows:

1) In matters pending before an Administrative Law Judge, such

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pleadings and papers shall be filed in the Commission office to which that Administrative Law Judge is assigned;

2) If the document is to be considered by a Commission panel or the full Commission, the document shall be filed with the Executive Director in the Commission's Chicago office.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

SUBPART B: RECORDS AND WITNESSES

Section 5300.210 Subpoenas

a) Issuance

1) Subpoenas shall be issued by a Commissioner to compel the attendance of a witness or the production of books, payrolls, records, correspondence, documents, papers or other evidence under the following circumstances:

- A) At the instance of the Department to facilitate its investigation of a charge; or
- B) At the instance of a party to the proceedings, in connection with a hearing convened pursuant to this Part;

or

- C) At the instance of a party to the proceedings, solely to obtain the production of books, payrolls, records, correspondence, documents, papers or other evidence from non-parties in anticipation of a hearing convened pursuant to this Part. Subpoenas issued in anticipation of a hearing may issue at any time subsequent to the time all Respondents have answered the Complaint or are required to answer the Complaint and not prior to that time, except by agreement of the Parties or with leave of the Administrative Law Judge. This Section does not confer a right on a party to take a deposition of any person.

- 2) Blank subpoenas may be obtained for use pursuant to this subsection by applying therefor to the Executive Director or Executive Assistant. The applicant shall specify the charge or complaint for which the subpoena is to be used and the type of subpoena requested.

b) Witness and Mileage Fees - The cost of service and witness and mileage fees shall be borne by the person requesting the subpoena. Witness and mileage fees shall be the same as are paid witnesses in the circuit courts of the State of Illinois, as set forth in "An Act in relation to the compensation of Sheriffs, Coroners, County Treasurers, County Clerks, Records and Auditors with their necessary clerk-hire, stationery, fuel and other expenses in counties of less than 2,000,000 inhabitants" the Fees and Salaries Act (Ill. Rev. Stat. 1981, ch. 53, par. 65).

- c) Service and Contents - The person requesting a subpoena shall be

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responsible for its service. A subpoena shall be served reasonably in advance of its return date. The subpoena shall state the name and address of the person initiating its issuance, and shall identify the person, or evidence subpoenaed and the person to whom and the place at which, date and the time at which when it is returnable.

- d) Petition to Quash or Modify - Within five (5) days after service of a subpoena on any person, such person may file a petition to quash or modify said subpoena, stating reasons in support of such relief. Such a petition shall be filed with the Commission in the case of a subpoena issued during the Department's investigation of any matter, and with the Administrative Law Judge in the case of a subpoena issued in connection with or in anticipation of a hearing before the Judge. A copy of the petition shall be served at the same time on the person serving the subpoena. Within five (5) days after service of such petition, or within any longer period that the Commission or a three-member panel or the Administrative Law Judge may order, the serving party may file an answering statement thereto. A hearing may be held in such a dispute in the discretion of the Commission or Administrative Law Judge. When such a petition is properly filed with the Commission, the Commission may refer the question to an Administrative Law Judge for hearing but the final decision will be by the Commission. Whenever a petition to quash a subpoena is properly filed under this section, the petitioner shall not be required to respond to such subpoena until the petition has been ruled upon.

- e) Enforcement - Whenever any person shall knowingly fail or refuse to comply with a subpoena served in accordance herewith, the Commission, at the instance of the person serving the subpoena, shall direct the Department to petition the appropriate circuit court pursuant to Section 8-104(E) of the Act for an order enforcing said subpoena.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

SUBPART C: SETTLEMENTS

Section 5300.310 Settlement Pitting-of Agreements

- a) Whenever If terms of settlement are agreed to by the parties to a charge or complaint prior to the filing of a Complaint and if the terms of settlement are approved by the Department pursuant to Section 7-103 7A-103 of the Act, the proposed settlement agreement shall be filed by the Department with the Commission at its Chicago office.

- b) If terms of settlement are agreed to by the parties after a Complaint has been filed, the parties shall submit the terms of settlement to the Administrative Law Judge assigned to the case. The Administrative Law Judge shall transmit the terms to the Commission for approval pursuant to Section 5300.320 of this Part. If there is no Administrative Law Judge assigned to the case, the parties shall

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- c) submit the terms directly to the Executive Director of the Commission.
Terms of settlement shall be in writing and signed by the Parties.

(Source: Amended at 16 Ill. Reg. 7838, effective
 June 1, 1992)

SUBPART D: REQUEST FOR REVIEW

Section 5300.450 Extensions of Time

- a) A pParty's timely rRequest for rReview may seek additional time to file argument and material in support thereof. A request for additional time not exceeding thirty (30) days shall be granted by the Commission through the issuance by the Executive Assistant Director of a by written order served on the person Party filing the request and on the Department. A request for additional time exceeding the aforementioned limitation will shall be granted by the Commission, through a three-member panel, only upon a showing of special circumstances. Any additional argument or material filed pursuant to this sSubsection shall be served at the same time on the Department by the pParty filing it. The Department shall file its response in accordance with Section 5300.430 within thirty (30) days after receipt of the additional argument or materials.

- b) The Department may request additional time to file its response by filing a written motion with the Commission, serving a copy at the same time on the pParty filing the rRequest for Review. A request for additional time not exceeding thirty (30) days shall be granted by the Commission through the issuance by the Executive Assistant Director of a by written order served on the pParty filing the rRequest for rReview and on the Department. A request for additional time exceeding the aforementioned limitation will be granted by the Commission, through a three-member panel, only upon a showing of special circumstances.

(Source: Amended at 16 Ill. Reg. 7838, effective
 June 1, 1992)

Section 5300.460 Consideration of Request for Review

The Commission, through a panel of three members, shall review all pleadings filed in accordance with this Subpart and shall determine the merits of the rRequest for rReview; provided however, that if the Department's response states that it does not oppose the rRequest for rReview, the Executive Assistant Director is authorized to promptly enter an order on behalf of the Commission vacating the dismissal or default. Oral argument before the Commission on rRequests for rReview will not be permitted.

(Source: Amended at 16 Ill. Reg. 7838, effective
 June 1, 1992)

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SUBPART E: HEARINGS

Section 5300.550 Form of Pleadings and Other Papers (Repealed)

- a) All papers--and--copies--thereof--for--filing--and--service--shall--be
typewritten--on--good--white--paper--8-1/2--by--11--inches--in--approximate
size--Copies--may--be--reproduced--by--any--printing--or--duplicating--process
providing--a--clear--image
- b) Each--document--shall--bear--on--the--first--page--the--caption--descriptive
title--and--number--of--the--matter--in--which--it--is--filed--and--shall
identify--the--Party--on--whose--behalf--it--is--filed--Each--document--shall
contain--on--the--final--page--the--name--address--and--telephone--number--of
the--attorney--in--active--charge--of--the--case--or--of--the--Party--if
appearing--pro-se
- c) The--original--and--one--copy--of--each--document--shall--be--filed--with--the
Administrative--law--Judge
- d) When--service--of--any--notice--ruler--order--pleading--motion--or--other
paper--is--required--proof--of--service--shall--be--filed--with--the
Administrative--law--Judge

(Source: Repealed at 16 Ill. Reg. 7838, effective
 June 1, 1992)

Section 5300.560 Appearances

- a) Each eComplainant and rRespondent shall enter a written appearance in such pParty's own behalf or by counsel as soon as practicable after issuance of the eComplaint, serving copies at the same time on all pParties. An appearance filed by a pParty or counsel with the Department prior to issuance of the eComplaint shall satisfy--this Section-- constitute an appearance before the Commission, except when:

- 1) The Complaint is filed by the Complainant pursuant to Section 7A-102(G)(2) of the Act, or
- 2) The appearance explicitly limits representation to proceedings conducted by the Department.

- b) An attorney may not withdraw his or her appearance for a pParty without leave of the Administrative Law Judge, nor unless reasonable notice of a motion to withdraw has been given by personal service or by certified mail directed to the pParty represented at his or her last known address.

- c) An attorney who is not a member of the Illinois Bar may be granted leave to appear on behalf of a pParty on a pro hac vice basis in the same manner and circumstances as provided in Illinois Supreme Court Rule 707, (Ill. Rev. Stat. 1981y 1991, ch. 110A, par. 707).

(Source: Amended at 16 Ill. Reg. 7838, effective
 June 1, 1992)

Section 5300.570 Place and Manner of Filing Papers (Repealed)

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~~From the time an Administrative Law Judge is assigned a matter until issuance of the Judge's decision and/or final order, all pleadings and other papers required to be served on a Party shall be filed at the Commission's Chicago office with the Administrative Law Judge.~~

(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

SUBPART F: COMPLAINT AND ANSWER

Section 5300.610 Filing of Complaint

Complaints shall be filed by the Department or, pursuant to Section 7A-102(G) of the Act, by the Aggrieved Party with the Chief Administrative Law Judge. Where the Department files the Complaint, it the Department shall immediately serve a Notice of Filing on all Parties.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.620 Service of Complaint

Within five days after a Complaint is duly filed with the Commission by the Department or by an Aggrieved Party, the Commission shall cause it to be served on all Parties either personally or by depositing copies in the mail, properly addressed and posted, for certified delivery.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.630 Notice of Hearing

The Complaint shall be accompanied by a Notice of Hearing which shall state the time, place and nature of the hearing upon the Complaint, the legal authority and jurisdiction under which the hearing is to be held, and a reference to the particular sections of the Act and Rules involved. The hearing shall be scheduled to commence not less than thirty (30) nor more than ninety (90) days following service of the Complaint, and at a site within one hundred (100) miles of the place where the act or practice complained of is alleged to have occurred; provided, however, that the hearing may be convened on any other date or at any other place upon the consent of the Parties. All Parties shall be notified in advance of the Administrative Law Judge who shall conduct the hearing. All Parties shall be notified in the Notice of Hearing of the Administrative Judge to whom the Complaint has been assigned. All pleadings and other documents related to the Complaint shall be directed to such Administrative Law Judge.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

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Section 5300.640 Answer

a) Time of Filing -- Each Respondent shall file an answer to the Complaint within thirty (30) days of the date of service of the Complaint, but the Administrative Law Judge to whom the Complaint is assigned conducting the hearing may, upon motion and for good cause shown, grant further time for the filing of an answer. In the event a Respondent files a motion to dismiss the Complaint within the said thirty (30) days and said motion is denied, such Respondent shall have fifteen (15) days from the date of service of an order of denial within which to file its answer. In addition, the Administrative Law Judge may require a Respondent to file an answer or supplemental answer within a reasonable time following an amendment to the Complaint.

b) Service -- An answer, supplemental answer, or motion to dismiss or response thereto, shall be served upon all Parties, and upon the Department to the attention of its General Counsel.

c) Contents -- The answer shall be in writing and signed under oath or affirmation, and shall contain:

1) A specific admission or denial of, or assertion that the Respondent is without sufficient knowledge or information to form a belief with respect to, each and every allegation of the Complaint;

2) A statement of any matter constituting a defense against any allegations of the Complaint;

3) The name, post office address and telephone number of Respondent and Respondent's counsel.

d) Failure To Deny Allegation -- Any allegation in the Complaint which is not denied or admitted in the answer shall be deemed admitted, unless the Respondent shall state in the answer that it is without sufficient knowledge or information to form a belief with respect to such allegation.

e) New Matter in Answer -- Any allegation of new matter contained in the answer shall be deemed denied without the necessity of a reply thereto being filed, unless a reply is ordered by the Administrative Law Judge conducting the hearing.

f) Failure to File Answer -- The failure of a Respondent to file an answer to the Complaint as hereinabove provided shall be deemed to constitute an admission of the allegations contained in the Complaint.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.650 Amendments to Pleadings

a) At any time prior to issuance of the Administrative Law Judge's Recommended Order and Decision, the pleadings may be amended for good cause shown. A motion to amend under this subsection shall be

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in writing, and shall state the specific amendments proposed and the reasons therefor. A motion to amend shall be served upon all pParties, and upon the Department to the attention of its General Counsel.

b) Amendments to the Complaint may encompass any unlawful discrimination which is like or reasonably related to the charge and grows out of the allegations in such charge, including, but not limited to, allegations of retaliation.

c) b) A motion made prior to the close of a hearing that a pleading be amended to conform to the evidence may be addressed orally on the record to the Administrative Law Judge conducting the hearing and shall be granted for good cause shown.

d) c) An amendment to a pleading shall relate back to the date of the filing of the original pleading.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.660 Substitution and Addition of Parties

a) A eComplaint may be amended by the eComplainant to substitute or name additional pParties rRespondent if such parties are successors or assigns of a named rRespondent. Mere misnomer of a pParty, however, shall not be grounds for dismissal and may be cured at any time by amendment of the pleadings. A pPerson may be added as pParty rRespondent, even if that pPerson is not a successor or an assign of the named rRespondent, if the following terms and conditions are met:

- 1) The charge Charge in the case was filed within 180 days after the date of the civil rights violation allegedly committed by the pPerson sought to be added as a pParty rRespondent;
 - 2) The failure to join the pPerson as a pParty rRespondent was inadvertent;
 - 3) The pPerson sought to be added as a pParty rRespondent was given notice of the filing of the charge Charge at the time the original charge Charge was filed;
 - 4) The nature of the original charge Charge was such that the pPerson sought to be added knew, within the 180 day period, that the charge Charge grew out of a transaction or occurrence involving or concerning him or her;
 - 5) The addition of the pPerson sought to be named as a pParty rRespondent does not raise new factual questions which were not considered by the Department of Human Rights in its investigation; and
 - 6) The cause of action alleged against the pPerson sought to be made a pParty rRespondent in the case arises out of the same transaction or occurrence set out in the original eComplaint.
- b) When a party dies during pendency of the proceeding, such party's legal representative may be substituted for the deceased upon amendment of the pleadings within ninety (90) days after notice by the

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Commission addressed to the deceased's last known address. If a Party to a Complaint dies, the proper Party or Parties may be substituted upon motion. If a motion to substitute is not filed within 90 days after the death is suggested of record, the Complaint may be dismissed as to the deceased Party.

c) No pPerson shall be added as a pParty rRespondent except as provided in this Section.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

SUBPART G: DISCOVERY AND PRACTICE

Section 5300.720 Discovery

a) Discovery shall be obtainable through the following methods:

- 1) Written Interrogatories -- A pParty may direct interrogatories to any other pParty, serving copies of such interrogatories at the same time on all other pParties. Such interrogatories shall be restricted to the subject matter of the eComplaint or defense and shall avoid undue detail or the imposition of excessive burden or expense on the answering pParty. Within twenty-eight (28) days after service of the interrogatories upon the answering pParty, the answering pParty shall serve upon the propounding pParty an answer under oath or affirmation, or an objection, to each interrogatory, serving copies of such answers and objections at the same time on all other pParties. Any objection to an answer or refusal to answer an interrogatory shall, upon motion of the pParty propounding the interrogatory, be ruled upon by the Administrative Law Judge. Where appropriate, a document may be served in answer to an interrogatory. Supplemental interrogatories shall not be allowed except on leave of the Administrative Law Judge for good cause shown.

- 2) Production, Inspection, Copying or Photographing of Documents and Tangible Things -- A pParty, by written request served upon all other pParties, and filed with the Administrative Law Judge may require any other pParty to produce for inspection, copying or photographing any document, object or tangible thing which is relevant to the subject matter of the eComplaint or defense. The pParty upon whom the request is served shall respond to the request within twenty-eight (28) days, stating with respect to each item or category that inspection and related activities will be permitted as required, unless the request is objected to, in which event the reasons for objection shall be stated. The response shall be served on all pParties. On motion of the requesting pParty, the Administrative Law Judge shall rule with respect to such objections.

- 3) Depositions

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- A) A deposition may be taken as of right only under the provisions of Section 8-104(F) of the Act. ~~the parties may take depositions by agreement.~~
- B) A Party may take discovery depositions either for good cause shown or by agreement. A discovery disposition taken for good cause or by agreement may be taken only upon leave of the Administrative Law Judge. No Party shall serve a notice of deposition for a discovery disposition without leave of the Administrative Law Judge.
- b) Prior to the time all respondents have answered or are required to answer, no discovery procedure shall be noticed or undertaken except by agreement of the parties or with leave of the Administrative Law Judge for good cause shown.
- c) At any time the Administrative Law Judge may, on his/her own motion or on motion of any party or witness, make such protective orders as justice and fairness may require, denying, limiting, conditioning or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage or oppression.
- d) All matters that are privileged against disclosure in civil cases in the courts of the State of Illinois shall be privileged against disclosure through any discovery procedure hereunder.
- e) Methods of discovery of information from parties and witnesses shall be available to the parties as in other civil cases in the circuit courts of this State, except as provided for discovery depositions above.
- f) The hearing of a matter shall not be delayed to permit discovery unless due diligence is shown.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.730 Motions and Objections

- a) ~~Motions and objections directed to the Administrative Law Judge under Section 5300.530(b) of this Part may be stated in writing or on the record except as provided in Subsection 5300.650(a) hereof. A written motion shall briefly state the order or relief requested and the specific grounds thereof, and shall be served at the same time upon all parties. Written motions shall also be served upon the Department as specified in Sections 5300.640(b) and 5300.650(a) and 5300.750(b) of this Part.~~

- a) Motions and objections directed to the Administrative Law Judge pursuant to the authority granted in Subsection 5300.530(b) of this Part may be stated in writing or on the record except for a motion to amend the pleadings pursuant to Subsection 5300.650(a) of this Part, which must be in writing.

- 1) A written motion shall briefly state the order or relief requested and the specific grounds upon which relief is sought.
- 2) A written motion shall be served at the same time upon all

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Parties and filed at the Commission office of the Administrative Law Judge to whom it has been directed.

- 3) The following motions shall also be served upon the Department:

- A) Motion to dismiss and any response thereto pursuant to Subsection 5300.640(b) of this Part;
- B) Motion to amend the pleadings pursuant to Subsection 5300.650(a) of this Part; and
- C) Motion to allow a Commission or Department employee to testify at a hearing pursuant to Subsection 5300.750(b)(3) of this Part.

- b) Except as provided in Subsection 5300.730(df) of this Part, for motions to dismiss the Complaint and motions for summary decision, ~~answering statements~~ responses to written motions may be filed by any party within five (5) days after service of the motion, or within such other period as the Administrative Law Judge may order, and shall be served at the same time upon all other parties. In deciding whether to extend the period for responding to the motion, the Administrative Law Judge shall consider the complexity of the issues raised by the motion, and the ability of the responding party to file a response within the five day period. Except under extraordinary circumstances, the time for responding to a motion shall not exceed forty-five (45) days. The Administrative Law Judge may, on his/her own motion or motion of the Department, enter an order permitting the Department to file a response to a written motion. In deciding whether to allow the Department to file a response, the Administrative Law Judge shall consider:

- 1) Whether resolution of the motion raises issues beyond those involved in the specific case;
- 2) Whether the Department has an interest different from that of the complainant, complainant or respondent; and
- 3) Whether the Department can articulate a particular point of view better than one or both parties.

- c) Written motions and responses thereto should set forth the arguments and authorities relied upon to permit the Administrative Law Judge to make a decision without oral argument on the motion.

- d) Except as provided in Subsection 5300.730(f) of this Part for motions to dismiss and motions for summary decision and except for those motions made in the course of public hearing, all motions arising out of complaints in which the site of the alleged civil rights violation is in Cook or Sangamon County shall be heard at the Commission's office in the county where the civil rights violation is alleged to have taken place. ~~Written notice of hearing of such motions shall be served on all parties and also upon the Department as specified in Sections 5300.640(b) and 5300.750(b) of these Rules and Regulations in Chicago. Written Notice of Hearing on such motion shall be filed at the Commission's office in Chicago along with a copy of the motion and served upon all parties and also upon the Department as specified in Subsection 5300.730(a) of this Part. The notice of hearing on the motion shall show the name of the~~

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Administrative Law Judge before whom and the date and time when the motion shall be presented. The motion shall be in writing and a copy of the motion or a statement that it previously has been served shall be served with the notice. Copies of all papers to be presented to the Administrative Law Judge with the motion shall be served with the notice or the notice shall state that copies have previously been served. The moving Party shall schedule the motion for hearing by entering the case name, AUS number and the nature of the motion in the motion book in the Commission's Chicago office.

1) If notice of hearing is given by personal service, the notice shall be delivered before 4:00 P.M. on the second State business day preceding the hearing of the motion.

2) If notice is given by mail, the notice shall be deposited in a United States Post Office or Post Office Box on no later than the fifth State business day preceding the hearing of the motion. The certificate of service attached to the motion will be prima facie proof of the date the notice is placed in a Post Office Box.

e) The procedures set forth in Section 5300.730(d) of this Part may be utilized for motions arising from complaints in which the site of the alleged civil rights violation is outside of Cook and Sangamon Counties if all Parties to the complaint agree to appear for hearing of the motion at the office of the Commission in which the Administrative Law Judge assigned to the complaint is located. If the Parties do not agree the procedures set forth in Subsections (a), (b), and (c) of this Section shall apply. All motions arising out of complaints in which the site of the alleged civil rights violation is outside Cook County shall be governed by the procedures specified in Subsections 5300.730(a), (b) and (c) of this Part. These motions shall not be noticed for hearing at the Commission's office in Chicago; however, if all of the Parties to a Complaint in which the site of the alleged discrimination is outside Cook County agree to appear for a hearing on a motion at the Commission's Chicago office, the procedure specified in Subsection 5300.730(d) of this Part may be utilized.

f) Regardless of the site of the alleged civil rights violation, all motions to dismiss the Complaint and all motions for summary judgment shall be filed and responded to in accordance with the procedures set forth in Subsection 5300.730(a), (b), and (c) of this Part.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.735 Summary Decision

a) At any time after the service of a Complaint and prior to service of a decision pursuant to Section 8A-102(I) or Section 8B-102(J) of the Act, the Complainant or the Respondent may move with or without

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supporting affidavits for a summary order in the moving Party's favor as to all or any part of the relief sought.

b) Procedure - The non-moving Party may file counter-affidavits prior to the time of the ruling on the motion. The order sought shall be rendered without delay if the pleadings and affidavits, if any, show that there is no genuine issue as to any material fact and that the moving Party is entitled to a recommended order as a matter of law. An interim recommended summary order, interlocutory in character, may be rendered on the issue of liability alone, although there is a genuine issue as to the relief to be awarded.

c) Affidavits or Motions Made in Bad Faith - If it appears to the satisfaction of the Administrative Law Judge at any time that any affidavit or motion presented pursuant to this Section is presented in bad faith or solely for the purpose of delay, the Administrative Law Judge may recommend that the Party employing the use of affidavits for dilatory purposes shall pay to the other Party the amount of reasonable expenses incurred as a result of the filing of the affidavit or motion, including reasonable attorney's fees.

(Source: Added at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.745 Admission of Fact or of Genuineness of Documents

a) Request for Admission of Fact - A Party may serve on any other Party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request.

b) Request for Admission of Genuineness of Document - A Party may serve on any other Party a written request for admission of the genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished.

c) Admission in the Absence of Denial - Each of the matters of fact and the genuineness of each document of which admission is requested is admitted unless, within twenty-eight (28) days after service thereof, the Party to whom the request is directed serves upon the Party requesting the admission either (1) a sworn statement denying specifically the matters of which admission is requested or setting forth in detail the reasons why he cannot truthfully admit or deny those matters or (2) written objections on the ground that some or all of the requested admissions are privileged or irrelevant or that the request is otherwise improper in whole or in part. If written objections to a part of the request are made, the remainder of the request shall be answered within the period designated in the request. A denial shall fairly meet the substance of the requested admission. If good faith requires that a Party deny only a part, or requires qualification of a matter of which an admission is requested, the Party shall specify so much of it as is true and deny only the remainder. Any objection to a request or to an answer shall be heard

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by the Administrative Law Judge upon prompt notice and motion of the Party making the request.

- d) Public Records - If any public records are to be used as evidence, the Party intending to use them may prepare a copy of them insofar as they are to be used, and may seasonably present the copy to the adverse Party by notice in writing, and the copy shall thereupon be admissible in evidence as admitted facts in the case if otherwise admissible, except insofar as its inaccuracy is pointed out under oath by the adverse Party in an affidavit filed and served within 14 days after service of the notice.

- e) Effect of Admission - Any admission made by a Party pursuant to request under this rule is for the purpose of the pending action only. It does not constitute an admission to be used against the Party in any other proceeding.

(Source: Added at 16 Ill. Reg. 7838, effective June 1, 1992.)

Section 5300.750 Hearing Procedures

- a) Adverse Witness -- At the hearing, a witness may be called and examined as if under cross-examination in the same manner and circumstances as provided in Section 60 Section 2-1102 of the Ill. Practice--Law Code of Civil Procedure (Ill. Rev. Stat. 1989 1991, ch. 110, par. 2-1102).

- b) Testimony and Evidence

- 1) All testimony taken at the hearing shall be under oath or affirmation.
- 2) All testimony and other evidence shall be subject to the same rules of evidence as are applicable in courts of record in the State of Illinois.

- 3) Compelling Appearances of Parties at Hearing - The appearances at the hearing of a Party or a person who at the time of the hearing is an officer, director, or employee of a Party may be required by serving the Party with a notice designating the person who is to appear. The notice also may require the production at the hearing of documents or tangible things. If the Party or Person is a non-resident of the county, the Administrative Law Judge may order any terms and conditions in connection with its appearance at the hearing that are just, including payment of its reasonable expenses. Upon a failure to comply with the notice, the Administrative Law Judge may enter any order that is just.

- 4) No Commission or Department employee shall testify on behalf of a Party at a hearing with respect to the contents of any files, documents, reports, memoranda or records of the Commission or Department or of the results of any investigation conducted by the Department except upon order of the Administrative Law Judge. Any Party may apply for such an order in the form of a motion and such motion shall identify the Commission or Department employee

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whose testimony is desired, the nature of such person's testimony, and the specific purpose to be served thereby. The motion will be granted only upon a showing that the information to be elicited from such testimony is admissible and cannot be obtained through other means. A motion to compel a Department employee to testify shall be served by the movant on the Department.

- 5) No testimony or other evidence concerning attempts to settle or adjust an alleged civil rights violation shall be given or received in any hearing without the written consent of all Parties.

- 6) Written stipulations, signed by the Parties to be bound thereby, may be introduced in evidence. Oral stipulations may be made on the record.

- c) Record of proceedings -- The Commission shall arrange for a record of the proceedings to be made, transcribed and filed in the Chicago or Springfield office of the Commission. Any such record will be made available for examination by the public in either the Chicago or Springfield office upon reasonable notice.

- d) Briefs and Oral Argument -- At the conclusion of the evidence, the Administrative Law Judge shall permit the Parties to argue orally and/or submit such briefs or proposed findings of fact and conclusions of law within such time as the Administrative Law Judge may determine. The Department may request leave to file an amicus brief upon an issue presented by the record in a hearing wherein it is not a Party, upon motion to the Administrative Law Judge, which motion shall be served on all Parties. Such motion shall be granted, and a briefing schedule ordered, if, in the opinion of the Administrative Law Judge, the interests of justice would be served thereby. Each Party filing a brief shall file it with the Administrative Law Judge and at the same time serve copies upon all other Parties.

- e) Sanctions for Unreasonable Conduct -- Should a Party fail to appear at a scheduled hearing without requesting a continuance reasonably in advance, or unreasonably refuse to comply with any order entered under Section 5300.720 of this Part, or otherwise engage in conduct which unreasonably delays or protracts proceedings, the Administrative Law Judge on motion may file a recommendation of dismissal or default or other appropriate order imposing sanctions as justice may require, including requiring the offending Party or attorney to pay the reasonable expenses and attorney's fees incurred by any other Party as a result of the misconduct.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992.)

Section 5300.760 Preparation of Recommended Order and Decision

Following the taking of testimony and the submission of oral argument and briefs, the Administrative Law Judge shall prepare and file with the Commission

a written Recommended Order and Decision, which shall include:

- a) A summary of the respective contentions of the Parties;
- b) Findings of fact based upon, and limited to, the testimony and other evidence of record and upon matters of which official notice may be taken pursuant to Section 12(c) of the Illinois Administrative Procedure Act, (Ill. Rev. Stat. 1991, ch. 127, par. 1012(c))²;
- c) A determination as to whether or not a preponderance of the evidence sustains the Complaint, or each portion thereof;
- d) An analysis of the case and reasoning to support the Administrative Law Judge's determinations;
- e) The Administrative Law Judge's Recommended order Liability Determination. If it is determined that the preponderance of the evidence supports the Complaint, or portions thereof, the recommended order shall sustain the Complaint to that extent and require the Respondent to take such actions as are provided under Sections 8-109 and 8-109 of the Act; if it is determined that the preponderance of the evidence does not support the Complaint or portions thereof, the recommended order shall dismiss the Complaint to that extent;

1) If it is determined that the preponderance of the evidence supports the Complaint or portions thereof, the recommended order shall sustain the Complaint to that extent and require the Respondent to take such actions as are provided under Section 8A-104 or Section 8B-104 of the Act. If the Complainant is entitled to an award of attorney's fees and costs pursuant to Section 8B-104(D) of the Act, the Administrative Law Judge's recommended decision shall be styled a Recommended Liability Determination and shall direct the Complainant to file a petition for an award of attorney's fees pursuant to the procedure established in Section 5300.765 of this Part. Such Recommended Liability Determination shall promptly be served upon all Parties.

2) If it is determined that the Complaint shall be dismissed and that the Complaint was frivolous, unreasonable or groundless or that the Complainant continued to litigate after it became clearly so and that the Respondent is therefore entitled to an award of attorney's fees pursuant to Section 8A-102(1)(5) of the Act, the Administrative Law Judge's recommended decision shall be styled a Recommended Liability Determination and shall direct the Respondent to file a petition for an award of attorney's fees pursuant to the procedures established in Section 5300.765 of this Part. Such Recommended Liability Determination shall promptly be served upon all Parties.

f) The Administrative Law Judge's Recommended Order and Decision

- 1) If it is determined that the preponderance of the evidence does not support the Complaint, the Administrative Law Judge's recommended decision shall dismiss the Complaint and shall constitute the Recommended Order and Decision for review by the Human Rights Commission pursuant to Sections 5300.910 et seq. of this Part.

- 2) Following submission of materials in connection with any petition for attorney's fees filed as directed in Subsection (e)(1) or (e)(2) of this Section pursuant to Section 5300.765 of this Part, the Administrative Law Judge shall prepare a recommended decision which shall incorporate the Recommended Liability Determination by reference and shall include recommendations as to the amount of reasonable attorney's fees and/or costs and a discussion of the issues relevant thereto. This recommended decision shall constitute the Recommended Order and Decision for review by the Human Rights Commission pursuant to Sections 5300.910 et seq. of this Part.

- 3) A Recommended Order and Decision that includes a monetary award shall specify the amount recommended to be paid pursuant thereto as of the date of the conclusion of the public hearing and the formula for calculation of supplemental monetary awards, if any.

The Commission shall promptly serve a copy of such Recommended Order and Decision upon all parties and the Department. Service of the Recommended Order and Decision begins the running of time for filing exceptions pursuant to Section 5300.920 of this Part. Following the issuance of the Recommended Order and Decision pursuant to Subsection (f)(1) or (f)(2) of this Section, all pleadings, motions, or other requests shall be directed to the General Counsel of the Human Rights Commission.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.765 Petitions for Fees and/or Costs

- a) Within twenty-one (21) days after the service of a Recommended Liability Determination pursuant to Subsection 5300.760(e)(1) or (e)(2) of this Part, the Party or Parties designated therein may file with the Administrative Law Judge a petition for fees and/or costs, supported by argument and affidavits. Such supporting documentation shall include the following:

- 1) The number of hours for which compensation is sought, itemized according to the work that was performed, the date upon which the work was performed and the individual who performed such work;
- 2) The hourly rate customarily charged by each individual for whom compensation is sought and appropriate documentary support for such claimed rate. In the case of a public law office which does not charge fees, or which charges fees at less than market rate, counsel may provide documentation of the rate prevalent in the practice of law for attorneys in the same locale with comparable experience and expertise;
- 3) Other factors that affect the computation of fees or costs, as determined by the courts of Illinois and the decisions of the Commission; and
- 4) Documentation of costs for which the Party seeks reimbursement.

b) Copies of such petitions and supporting documents shall be served by

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the petitioning Party on all other Parties at the time of filing with the Administrative Law Judge, and proof of service shall be provided. Neither fees nor costs will be awarded in the absence of proper petition therefor.

c) Within twenty-one (21) days after the service of the petition for an award of attorney's fees and/or costs, all other Parties may file written objections to the petition. Copies of such objections shall be served on all other Parties at the time of filing with the Administrative Law Judge, and proof of service shall be provided. Failure to file such objections shall be deemed a waiver of any objections to the award of fees.

d) A Party may request additional time to file a pleading governed by this Section by written motion filed with the Administrative Law Judge stating the reasons therefor. Copies thereof shall be served at the same time on all other Parties. Such requests for extension of time shall be granted where good cause is shown.

e) The Administrative Law Judge may convene a hearing to resolve contested issues and may take other steps to produce a complete record with regard to a claim for fees and/or costs.

f) Following the submission of the petition for fees and/or costs and objections thereto and the completion of a hearing, if any, the Administrative Law Judge shall prepare a Recommended Order and Decision pursuant to Subsection 5300.760(f)(2) of this Part.

(Source: Added at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.770 Settlement (Repealed)

if at any time after issuance of a complaint the Parties agree to terms of settlement, such terms shall be reduced to writing, signed by the Parties and submitted to the Department for approval.

(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.782 Authority for Sections 5300.783-5300.787 (Repealed)

Sections 5300.783, 5300.784, 5300.785, 5300.786, 5300.787, 5300.788, 5300.789, 5300.790, 5300.791, 5300.792, 5300.793, 5300.794, 5300.795, 5300.796, 5300.797, 5300.798, 5300.799, 5300.800, 5300.801, 5300.802, 5300.803, 5300.804, 5300.805, 5300.806, 5300.807, 5300.808, 5300.809, 5300.810, 5300.811, 5300.812, 5300.813, 5300.814, 5300.815, 5300.816, 5300.817, 5300.818, 5300.819, 5300.820, 5300.821, 5300.822, 5300.823, 5300.824, 5300.825, 5300.826, 5300.827, 5300.828, 5300.829, 5300.830, 5300.831, 5300.832, 5300.833, 5300.834, 5300.835, 5300.836, 5300.837, 5300.838, 5300.839, 5300.840, 5300.841, 5300.842, 5300.843, 5300.844, 5300.845, 5300.846, 5300.847, 5300.848, 5300.849, 5300.850, 5300.851, 5300.852, 5300.853, 5300.854, 5300.855, 5300.856, 5300.857, 5300.858, 5300.859, 5300.860, 5300.861, 5300.862, 5300.863, 5300.864, 5300.865, 5300.866, 5300.867, 5300.868, 5300.869, 5300.870, 5300.871, 5300.872, 5300.873, 5300.874, 5300.875, 5300.876, 5300.877, 5300.878, 5300.879, 5300.880, 5300.881, 5300.882, 5300.883, 5300.884, 5300.885, 5300.886, 5300.887, 5300.888, 5300.889, 5300.890, 5300.891, 5300.892, 5300.893, 5300.894, 5300.895, 5300.896, 5300.897, 5300.898, 5300.899, 5300.900, 5300.901, 5300.902, 5300.903, 5300.904, 5300.905, 5300.906, 5300.907, 5300.908, 5300.909, 5300.910, 5300.911, 5300.912, 5300.913, 5300.914, 5300.915, 5300.916, 5300.917, 5300.918, 5300.919, 5300.920, 5300.921, 5300.922, 5300.923, 5300.924, 5300.925, 5300.926, 5300.927, 5300.928, 5300.929, 5300.930, 5300.931, 5300.932, 5300.933, 5300.934, 5300.935, 5300.936, 5300.937, 5300.938, 5300.939, 5300.940, 5300.941, 5300.942, 5300.943, 5300.944, 5300.945, 5300.946, 5300.947, 5300.948, 5300.949, 5300.950, 5300.951, 5300.952, 5300.953, 5300.954, 5300.955, 5300.956, 5300.957, 5300.958, 5300.959, 5300.960, 5300.961, 5300.962, 5300.963, 5300.964, 5300.965, 5300.966, 5300.967, 5300.968, 5300.969, 5300.970, 5300.971, 5300.972, 5300.973, 5300.974, 5300.975, 5300.976, 5300.977, 5300.978, 5300.979, 5300.980, 5300.981, 5300.982, 5300.983, 5300.984, 5300.985, 5300.986, 5300.987, 5300.988, 5300.989, 5300.990, 5300.991, 5300.992, 5300.993, 5300.994, 5300.995, 5300.996, 5300.997, 5300.998, 5300.999, 5300.1000

(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.783 Fees and Costs (Repealed)

if the Administrative Law Judge determines that a Party may be entitled to recover reasonable attorneys' fees, expert witness fees, or costs pursuant to

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Section 8-108(6) or 8-106(7) of the Act, the Administrative Law Judge shall prepare an interim Recommended Order and Decision which shall comply with the requirements set forth in Section 5300.760(a) through (d) of this Part. Such interim order shall designate the Party or Parties for whom fees or costs may be recommended and the basis for such recommendation. The Commission shall promptly serve a copy of the interim Recommended Order and Decision on all Parties. Such service will occur within ten days of signature of the Administrative Law Judge on the interim order.

(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.784 Motion for Fees and or Costs (Repealed)

a) Within twenty-one (21) days after the service of the interim Recommended Order and Decision the Party or Parties designated therein may file with the Administrative Law Judge a motion for fees and/or costs supported by argument and affidavits. Such supporting documentation shall include the following:

- 1) The number of hours for which compensation is sought, itemized according to the work that was performed and the individual who performed such work;
- 2) The hourly rate customarily charged by each individual for whom compensation is sought, or in the case of a public law office which does not charge fees or which charges fees at less than market rates, documentation of the rates prevalent in the practice of law for attorneys in the same locale with comparable experience and expertise;
- 3) Other factors that affect the computation of fees or costs, as determined by the Courts of Illinois and the decisions of the Commission;
- 4) Documentation of costs for which the Party seeks reimbursement.

b) Copies of such motions and supporting documents shall be served by the petitioning Party on all other Parties at the time of filing with the Administrative Law Judge, and proof of service shall be provided. Neither fees nor costs will be awarded in the absence of a proper motion therefor.

(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.785 Responses to Motions for Fees or Costs (Repealed)

if a written motion for fees and/or costs is timely filed by any Party to the proceedings as herein above provided, all other Parties shall have the opportunity to file written responses and counter arguments thereto. Such responses and counter arguments shall be filed with the Administrative Law Judge within twenty-one (21) days after the service of such motion and copies thereof served at the same time on all other Parties.

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(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.786 Extensions of Time (Repealed)

A Party may request additional time to file a pleading governed by Sections 5300.784 and 5300.785 of this Part by written motion filed with the Administrative Law Judge stating the reasons therefor. Copies thereof shall be served at the same time on all other Parties. Such requests for extensions of time shall be granted where good cause is shown.

(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.787 Supplemented Record (Repealed)

The Administrative Law Judge may convene a hearing to resolve contested issues and take other steps to produce a complete record with regard to a claim for fees or costs. Upon completion of such record, the Administrative Law Judge shall rule upon all motions submitted in accordance with Section 5300.784 and shall issue a Recommended Order and Decision that shall include recommendations as to the amount of reasonable attorney fees and/or costs and a discussion of the issues relevant thereto.

(Source: Repealed at 16 Ill. Reg. 7838, effective June 1, 1992)

SUBPART H: PRACTICE IN FRONT OF THE COMMISSION

Section 5300.825 Presentation of Motions

Every motion filed pursuant to this Subpart shall contain a notice of presentation on the first page thereof. The notice of presentation shall state the date upon which the motion and objections (if any) will be submitted to the Commission. The date of presentation shall be not less than 15 days after service of the said motion. It shall be the obligation of the moving party to arrange with the clerk of the Commission for entry of the motion on the agenda of the Full Commission or Commission Panel for the date specified in the notice of presentation. Motions will be considered by the Parties. Unless otherwise date based upon the memoranda submitted by the Parties. Unless otherwise provided in this Part, motions shall be presented by the Commission's staff to the Commission at the first available meeting of the full Commission or the Commission panel which follows the expiration of the ten (10) day response period provided for in Section 5300.815. Motions will be considered by the Commission based upon the memoranda submitted by the Parties. Unless it is requested by the Commission, no oral argument will be allowed on motions. If the Commission requests oral argument, it will send the Parties written notice.

(Source: Amended at 16 Ill. Reg. 7838, effective

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Section 5300.865 Number of Copies Style of Documents for Commission Consideration

Except for pleadings filed pursuant to Subpart B of this Part (Requests for Review), documents presented for filing before the Commission will not be accepted unless they are accompanied by the number of copies specified in this Subsection 5300.40(e) of this Part. If the document is to be presented to a Commission Panel, the filing shall consist of the original and five (5) copies. If the document is to be presented to the Full Commission, the filing shall consist of the original and ten (10) copies. Every pleading filed for the consideration of a Commission panel or the full Commission shall state on its face either "For the consideration of a Commission panel" or "For the consideration of the full Commission." Any document which does not comply with this Section will not be accepted for filing by the Commission.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

SUBPART I: REVIEW OF RECOMMENDED ORDER AND DECISION

Section 5300.920 Exceptions to Recommended Order

Within thirty (30) days after service of the Administrative Law Judge's Recommended Order and Decision upon any party, such party may file with the Commission written exceptions, supported by argument, to the findings and recommended order of the Administrative Law Judge. Copies of such written exceptions and argument shall be served by such party on all other parties at the time of filing with the Commission, and proof of service provided. Except by permission of the Commission, the exceptions and argument shall not exceed thirty (30) pages.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.930 Responses to Exceptions

If written exceptions to the Recommended Order and Decision are timely filed as hereinabove provided by any party to the proceedings, all other parties shall have the opportunity to file written responses and counter-arguments thereto. Such responses and counter-arguments shall be filed with the Commission within twenty-one (21) days after the service of the exceptions, and copies thereof served at the same time on all other parties. Except by permission of the Commission, the responses and counter-arguments shall not exceed thirty (30) pages.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

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Section 5300.940 Extensions of Time

A party may request additional time to file a pleading governed by Sections 5300.920 or 5300.930 of this Part by written motion filed with the Commission stating the reasons therefor. Copies thereof shall be served at the same time on all other parties. A request for additional time not exceeding fifteen (15) days in the case of a pleading governed by Section 5300.920 or ten (10) days in the case of a pleading governed by Section 5300.930 shall be granted by the Commission through the issuance by the Executive Assistant Director of a written order to all parties; but such an extension shall be designated as final and no further extensions with regard to that pleading will be allowed. A request for additional time exceeding the aforementioned limitations will be granted by a three-member panel of the Commission only under exceptional circumstances.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.950 Oral Argument

Any party to the proceedings shall be permitted to present oral arguments in support or opposition to the Recommended order and decision, by including a written demand therefor at the time of filing exceptions or responses as hereinabove provided. If oral arguments are so requested, the Commission shall set a date for such arguments, to be heard before a three-member panel of Commission members, and shall serve notice in writing of the time and place so fixed to all parties at least twenty (20) days prior thereto. Any other party not previously requesting oral argument shall be allowed to present such arguments at the same time and place and should file a written notice of intention to participate with the Commission, with service thereof on all other parties, not less than ten (10) days prior to the date set. If no party requests oral argument, the three-member panel shall decide the case based upon the written record unless at least two members of the panel find that oral argument is necessary to resolve an issue presented by the Recommended Order and Decision, the exceptions or the response. In all such cases the Commission shall serve notice of oral argument in writing. The Commission shall arrange for a record of oral arguments to be made, transcribed and filed in its Chicago office as part of the official record in the case.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.960 Form of Pleadings and Other Papers

All exceptions, responses and other papers filed with the Commission shall conform with the provisions of Section 5300.55040 of this Part.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

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SUBPART K: ORDER AND DECISION OF THE COMMISSION

Section 5300.1145 Interest

Whenever an Order and Decision includes an award of interest pursuant to Section 8A-104(J) of the Act, the amount of interest shall be calculated according to the method set forth in this Section.

- Liability for interest begins on the first day of the calendar month following the civil rights violation. Interest shall accrue on a monthly basis thereafter. For example, if the violation occurred on June 15, liability for interest would begin on July 1, and the first month's interest would accrue on August 1.
- The monthly rate of interest shall be 1/12 of the annual rate of interest for judgments specified in Section 2-1303 of the Code of Civil Procedure (Ill. Rev. Stat. 1991, ch. 110, par. 2-1303) for the calendar year in which interest accrues.
- The monthly rate of interest shall be multiplied by the amount of damages which accrued as of the end of the last day of the month preceding the accrual of interest. For example, to calculate the amount of interest which accrues on August 1, one must multiply the monthly rate of interest by the amount of damages which accrued as of midnight on July 31.
- Interest shall compound annually. For example, if the first month's interest accrued on August 1, 1988, the amount of monthly interest for August 1, 1989 would be calculated by adding the damages and interest which accrued as of July 31, 1989. This sum would then be multiplied by the applicable monthly rate.
- Interest shall continue to accrue until the payment specified by the Order and Decision has been made.

(Source: Added at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.1150 Rehearing Before Full Commission

- Within thirty (30) days after service of the Commission's Order and Decision issued in accordance with this Article, a party may petition for rehearing before the entire Commission.
- Such petition shall be in writing and filed at the Commission's Chicago office, with service thereof at the same time on all other parties. The petition shall clearly specify the reasons why rehearing should be granted. The Commission, at its discretion, may order that a response to the petition be filed.
- The petition, and response if any, shall be reviewed by the entire Commission and shall be granted only by a vote of four six (6) Commissioners when it is clear that the petition raises legal issues of significant impact or that panels of the Commission have reached conflicting decisions.
- The Commission shall issue an Order on every petition, and shall serve

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1) The Heading of the Part: Visible and Particulate Matter Emissions

2) The Code Citation: 35 Ill. Adm. Code 212

3) Section Number: Adopted Action:

- 212.107 new section
- 212.108 new section
- 212.109 new section
- 212.110 amended
- 212.113 amended
- 212.210 new section
- 212.302 amended
- 212.309 amended
- 212.316 new section
- 212.324 new section
- 212.362 new section
- 212.425 new section
- 212.458 new section
- 212.464 new section
- 212. Illustration D new section
- 212. Illustration E new section
- 212. Illustration F new section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 1114, pars. 1010, 1027, and 1028.2.

5) Effective Date of Rule(s) (Amendments, Repealer): May 11, 1992

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this rule (amendment, repealer) contain incorporations by reference? Yes.
If "yes", was a copy of the approval form issued by JCAR attached to this rulemaking?

All incorporations by reference included in these rules are pursuant to Section 6.02(a) of the Illinois Administrative Procedure Act, and thus do not require JCAR approval.

8) Date filed in agency's principal office: April 9, 1992

9) Notice(s) of Proposal Published in Illinois Register: 15 Ill.

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a copy thereof on all parties personally or by registered or certified mail. Whenever a petition for rehearing is granted, the order shall notify the parties of the time and place of oral argument before the Commission and whether any additional written arguments will be considered. Upon the granting of the petition for rehearing, the Commission's Order and Decision will be vacated.

e) When rehearing has been granted by the Commission in a matter where the Department is not a party, the Department may request leave to file an amicus brief upon a question of law presented by the petition for rehearing upon motion to the Commission, a copy of which shall be served on all parties. Such a motion by the Department will be granted by the Commission if it is satisfied that the interests of justice would be served thereby.

f) Whenever rehearing is granted by the Commission in accordance with this section, the Commission shall issue an order and decision Decision en banc in the same manner as provided in Section 5300.1140.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

Section 5300.1160 Modification of Commission Order

At any time prior to a final order of the Circuit Court in a proceeding under Section 8-111 of the Act, the Commission or the panel which decided the matter, upon its own motion or the motion of any party, and with due notice to all parties, may modify or set aside in whole or in part any finding or order made by it in the course of reviewing a recommended order and decision. In such event, the Commission shall issue and serve upon the parties a Supplemental Order and decision in the same manner as provided in Section 5300.1140.

(Source: Amended at 16 Ill. Reg. 7838, effective June 1, 1992)

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Reg. 16564, November 15, 1991.

- 10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? No.

- 11) Difference(s) between proposal and final version:

Changes were made to the following sections: 212.109, 212.110, 212.210, 212.302, 212.309, 212.316, 212.324, 212.362, 212.425, 212.458, and 212.464. Additionally, the main source note was updated, and each section source note was changed to reflect the fact that these amendments will be published in volume 16 of the Illinois Register. Specific changes are discussed below.

Section 212.109: The phrase "and except for grain loading and unloading operations which shall remain subject to Section 212.123(b)" was deleted, and the phrase "away from the plume" was added following the words "at least 15 feet".

Section 212.110(d) now reads:

- d) Visible Emissions Measure: ~~Determine a determination as to the presence or absence of visible emissions from all process emission sources and fugitive particulate emission sources required to meet a "no visible emissions" standard, except with respect to Section 212.301, shall be conducted in accordance with 40 CFR 60, Appendix A, Method 22, incorporated by reference in Section 212.113, except that the length of the observing period shall be at the discretion of the observer, but not less than one minute.~~

In Section 212.210(a), the words "Subpart L," were deleted from the last phrase of that subsection. Section 212.210(b) was reworded to read:

- b) Compliance Date: Sources shall comply with the emissions limitations of this Section within one year following its effective date, or by December 10, 1993, whichever is earlier.

Section 212.302: In subsection (a), the phrase "that are outside the areas defined in Section 212.324(a)(1)" was added following the words "(Grain-Handling and Grain-Drying

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Operations)". Subsection (b) has been reworded to read:

- b) In the geographical areas defined in Section 212.324(a)(1), Sections 212.304 through 212.310, 212.312, and 212.316 shall apply to all sources identified in subsection (a), and shall further apply to the following operations: grain-handling and grain-drying (Subpart L), transportation, communications, electric, gas, and sanitary services (SIC major groups 40 through 49). Additionally, Sections 212.304 through 212.310, 212.312, and 212.316 shall apply to wholesale trade-farm supplies (SIC Industry No. 5191) located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C).

Section 212.302(c) now reads:

- c) Compliance Date. Compliance with subsection (b) is required one year following its effective date, or by December 10, 1993, whichever is earlier.

Section 212.309(b) was reworded to read:

- b) Compliance Date. The amendment to this section incorporating the applicability of Section 212.316 shall apply one year following its effective date or on December 10, 1993, whichever is earlier.

In Section 212.316(a), the phrase "Subpart L," was deleted, and the reference to Section 212.324 now reads "Section 212.324(a)(1)". In Section 212.316(e)(2)(A), the phrase "including, but not limited to, transfer onto and off of a conveyor," was added following the phrase "conveyor transfer points". In Section 212.316(g)(5), the second sentence of that proposed subsection now reads "This information includes, but is not limited to, those dates when controls were not applied based on a belief that application of such control measures would have been unreasonable given prevailing atmospheric conditions, which shall constitute a defense to the requirements of this Section." Finally, in subsection (h), the word "by" was added just before "December 10, 1993".

Section 212.324 has been changed as follows (underlining and strike-throughs show changes from first notice):

- a) 3) The emissions limitations of this Section ~~is~~ are

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not applicable to any source subject to a specific emissions standard or limitation contained in any of the following Subparts:

- b) General Emission Limitation. Except as otherwise provided in this ~~part~~Section, no person shall cause or allow the emission, into the atmosphere, of PM-10, ~~other than that of fugitive particulate matter~~ from any process emission source to exceed 68.7 mg/scm (0.03 gr/scf) during any one hour period.

- c) Alternative Emission Limitation. In lieu of ~~the~~ emission limit of 68.7 mg/scm (0.03 gr/scf) contained in subsection (b) ~~of this Section~~, no person shall ~~not~~ apply because or allow the emissions of the following sources to exceed the corresponding limitations in the following table: ~~for which alternative emission limits are provided below~~

- d) [the word "mass" was added just before the phrase "emission limits"]
- h) [this subsection has been reworded to read:]
Compliance Date. Sources shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section within one year of the effective date of this Section, or by December 10, 1993, whichever is earlier.

Section 212.362: In subsection (a)(1), the phrase "Section 212.361 notwithstanding," has been deleted from the beginning of that subsection, the phrase "Subpart L," has been deleted, and the reference to Section 212.324(a)(1) now includes reference to subsection (A). In subsection (b)(3), the letters "B26" were deleted and the words "in Building 26" were added just after "dust pickup bin system". In subsection (b)(4), the word "building" was added following the words "rail car maintenance system" in the next-to-last line. Finally, subsection (e) now reads identically to Section 212.324(h), above.

Section 212.425: In subsection (a), the words "Subpart L," were deleted. In subsection (b)(3), the words "per ton" were

deleted. In subsections (b)(5) and (b)(6), the word "the" was added just before the phrase "lime manufacturing industry". Subsection (e) now reads identically to Section 212.324(h), above.

Section 212.458: This Section has been extensively changed, including the renumbering of some subsections. The entire Section now reads:

212.458 Sources in Certain Areas

- a) Applicability. This Section shall apply to those sources located in those areas defined in Section 212.324(a)(1).
- b) Emission Limitation. No person shall cause or allow emissions of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed the following limits during any one hour period:

1) 15.9 ng/J (0.037 lbs. per mmbtu) of heat input from any fuel combustion source located at the steel plant between 106th and 111th Streets in City of Chicago;

2) 22.9 mg/scm (0.01 gr/scf) for the basic oxygen furnace additive systems in the Village of Riverdale;

3) 4.3 ng/J (0.01 lbs. per mmbtu) of heat input from the burning of fuel in the soaking pits in the Village of Riverdale;

4) 64.08 mg/scm (0.028 gr/scf) from the electrostatic precipitator discharge of the basic oxygen process in the Village of Riverdale;

5) 45.8 mg/scm (0.02 gr/scf) from the pickling process at a steel plant in the Village of Riverdale;

6) 5% opacity for coal handling systems equipped with fabric filter(s) at steel plant located in the City of Chicago;

7) 22.9 mg/scm (0.01 gr/scf) from any process emissions source located at integrated iron and

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steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C), except as otherwise provided in this Section or in Sections 212.443 and 212.446:

City, except the sand dryer, sand cooler, chill tumbler, paint booth, chromite reclamation and core baking ovens:

8) 5% opacity for continuous caster spray chambers or continuous casting operations at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

17) 41.2 mg/scm (0.018 gr/scf) for cold rolling mill emissions sources at metal finishing plant located in the Village of McCook;

9) 32.25 ng/J (0.075 lbs per mmbtu) of heat input from the burning of coke oven gas at all sources at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

18) 2.15 ng/J (0.005 lbs/mmbtu) of heat input from the burning of fuel in any process emission source at secondary aluminum smelting and refining plant and/or aluminum finishing plant;

10) 38.7 ng/J (0.09 lbs. per mmbtu) of heat input from the slab furnaces at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

19) 22.9 mg/scm (0.01 gr/scf) from gross pad, dross cooling, and dross mixing sources at secondary aluminum smelting and refining plant and/or aluminum finishing plant;

11) 22.9 mg/scm (0.01 gr/scf) for all process emissions sources at secondary lead processing plant located in Granite City, except the salt flux crusher;

20) 12.9 ng/J (0.03 lbs/mmbtu) of heat input from any fuel combustion emission source that heats air for space heating purposes at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

12) 22.9 mg/scm (0.01 gr/scf) for any melting furnace at secondary aluminum smelting and refining plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

21) 68.7 mg/scm (0.03 gr/scf) for any holding furnace at secondary aluminum smelting and refining plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

13) 45.8 mg/scm (0.02 gr/scf) from No. 6 mill brusher, and metal chip handling system at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

22) 2.15 ng/J (0.005 lbs per mmbtu) of heat input from the steel works boilers located at the steel making facilities at steel plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

14) 0.05 kg/Mg (0.01 lb/T) per ton of sand processed from molding sand forming systems at steel foundry plant located in Granite City;

23) 29.71 kg (65.5 lbs) for the total of all basic oxygen furnace processes described in Section 212.446(a) and located at steel plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);

15) 0.01 kg/Mg (0.02 lbs/T) per ton of sand processed from recycle sand shakeouts at steel foundry plant located in Granite City;

24) North and South furnaces at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section

16) 22.9 mg/scm (0.01 gr/scf) for all other process emissions sources at steel foundry plant in Granite

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212.324(a)(1)(C), cannot be operated simultaneously;

25) Magnesium pot furnaces at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C), can be operated only one line at a time;

26) 2.15 ng/J (0.005 lbs/mmbtu) of heat input from any fuel combustion source at secondary aluminum smelting and refining plant and/or aluminum finishing plant except as provided in subsection (b)(20);

27) 21.6 mg/scm (0.040 gr/scf) and 0.45 kg/hr (1 lb/hr) for melting furnaces Nos. 6, 7, and 8 at metal finishing plant in the Village of McCook, with operation limited to no more than two of these furnaces at one time;

28) 183 mg/scm (0.080 gr/scf) and 0.91 kg/hr (2 lbs/hr) for holding furnaces Nos. 6, 7, and 8 at metal finishing plant in the Village of McCook, with operation limited to no more than two of these furnaces at one time;

29) 54.9 mg/scm (0.024 gr/scf) and 1.81 kg/hr (4 lbs/hr) for melting furnaces Nos. 24, 25, and 26 at metal finishing plant in the Village of McCook;

30) 24.3 mg/scm (0.015 gr/scf) and 1.81 kg/hr (4 lbs/hr) for melting furnaces Nos. 27, 28, 29, and 30 at metal finishing plant in the Village of McCook;

31) 22.0 mg/scm (0.014 gr/scf) and 0.45 kg/hr (1 lb/hr) for holding furnaces Nos. 24, 25, and 26 at metal finishing plant in the Village of McCook, except that during fluxing operation those furnaces may emit 195 mg/scm (0.085 gr/scf) and 2.72 kg/hr (6 lb/hr);

32) 24.3 mg/scm (0.015 gr/scf) and 0.45 kg/hr (1 lb/hr)

for holding furnaces Nos. 27, 28, 29, and 30 at metal finishing plant in the Village of McCook, except that during fluxing operation those furnaces may emit 217 mg/scm (0.095 gr/scf) and 2.72 kg/hr (6 lb/hr);

33) Fluxing operations at holding furnaces Nos. 24, 25, 26, 27, 28, 29, and 30 at metal finishing plant in the Village of McCook shall be limited to no more than three at any one time.

c) Exceptions. The mass emission limits contained in subsection (b) shall not apply to those sources with no visible emissions other than that of fugitive particulate matter.

d) Maintenance, Repair, and Recordkeeping. The requirements of subsections (f) and (g) of Section 212.324 shall also apply to this Section.

e) Compliance Date. Compliance with this Section is required by December 10, 1993.

Section 212.464: In subsection (a), the phrase "Subpart L," was deleted, and the reference to Section 212.324(a)(1) now specifically refers to subsection (B). In subsection (b)(1), the phrases "receiving, shipping, transferring" and "truck or rail unloading systems; except that" have been deleted. The word "for" was added before the phrase "column dryers", and a semi-colon added directly following that phrase. The word "grain" was added in the next-to-last line before "conveying", but was deleted before the word "loading". The phrase "including garners, scales and cleaners" was added at the end of subsection (b)(1). Subsection (b)(2) was changed as follows:

No person shall cause or allow the visible emissions of fugitive particulate matter into the atmosphere to exceed an opacity of 30% from barges and other watercraft, truck or rail loading or unloading systems to exceed the limits specified in Section 212.123.

In subsection (c), the word "mass" was added directly before "emission limits". Finally, subsection (e) is now identical to Section 212.324(h), above.

12) Have all the changes agreed upon by the Agency and JCAR been

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made as indicated in the agreement letter issued by JC&R?

No agreements were necessary.

- 13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.

- 14) Are there any amendments pending on this Part? Yes.

Section Numbers:	Proposed Action:	Ill. Reg. Citation:
212.107	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.108	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.109	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.110	amend	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.113	amend	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.205	amend	15 Ill. Reg. 791 (Jan. 25, 1991)
212.302	amend	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.309	amend	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.316	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.324	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.362	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.424	amend	16 Ill. Reg. 41 (Jan. 3, 1992)
212.425	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.443	amend	16 Ill. Reg. 41 (Jan. 3, 1992)
212.445	amend	16 Ill. Reg. 41 (Jan. 3, 1992)
212.458	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212.464	new section	15 Ill. Reg. 13660 (Sept. 20, 1991)

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212. Illustration D new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212. Illustration E new section	15 Ill. Reg. 13660 (Sept. 20, 1991)
212. Illustration F new section	15 Ill. Reg. 13660 (Sept. 20, 1991)

- 15) Summary and Purpose of Rule(s): These amendments to Part 212 are part of a rulemaking (R91-22) to regulate particulate matter with an aerodynamic diameter of less than or equal to a nominal 10 micrometers (known as PM-10). The rules regulate the McCook and Lake Calumet areas of Cook County, and the Granite City area of Madison County. The rules are part of Illinois' submission of a complete state implementation plan (SIP) for PM-10, as required by the federal Clean Air Act.

- 16) Information and questions regarding this adopted rule shall be directed to:

Elizabeth Schroer Harvey
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601
(312) 814-6921

The full text of the adopted rule(s) begins on the following page:

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TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE B: AIR POLLUTION
 CHAPTER I: POLLUTION CONTROL BOARD
 SUBCHAPTER C: EMISSION STANDARDS AND
 LIMITATIONS FOR STATIONARY SOURCES

PART 212
 VISIBLE AND PARTICULATE MATTER EMISSIONS

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 212.100 Scope and Organization
 212.107 Measurement Method for Visible Emissions
 212.108 Measurement Methods for PM-10 Emissions
 212.109 Measurement Methods for Opacity
 212.110 Measurement Methods For Particulate Matter
 212.111 Abbreviations and Units
 212.112 Definitions
 212.113 Incorporations by Reference

SUBPART B: VISIBLE EMISSIONS

Section
 212.121 Opacity Standards
 212.122 Limitations for Certain New Sources
 212.123 Limitations for All Other Sources
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 212.125 Determination of Violations
 212.126 Adjusted Opacity Standards Procedures

SUBPART D: PARTICULATE MATTER EMISSIONS FROM INCINERATORS

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 212.181 Limitations for Incinerators
 212.182 Aqueous Waste Incinerators
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SUBPART E: PARTICULATE MATTER EMISSIONS
 FROM FUEL COMBUSTION EMISSION SOURCES

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 212.201 Existing Sources Using Solid Fuel Exclusively Located in the Chicago Area
 212.202 Existing Sources Using Solid Fuel Exclusively Located Outside the Chicago Area
 212.203 Existing Controlled Sources Using Solid Fuel Exclusively
 212.204 New Sources Using Solid Fuel Exclusively
 212.205 Existing Coal-fired Industrial Boilers Equipped with Flue Gas Desulfurization Systems
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 212.208 Aggregation of Existing Sources
 212.209 Village of Winnetka Generating Station
 212.210 Emissions Limitations For Certain Fuel Combustion
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 212.301 Fugitive Particulate Matter
 212.302 Geographical Areas of Application
 212.304 Storage Piles
 212.305 Conveyor Loading Operations
 212.306 Traffic Areas
 212.307 Materials Collected by Pollution Control Equipment
 212.308 Spraying or Choke-Feeding Required
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 212.310 Minimum Operating Program
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 212.313 Emission Standard for Particulate Collection Equipment
 212.314 Exception for Excess Wind Speed
 212.315 Covering for Vehicles
 212.316 Emission Limitations for Sources in Certain Areas

SUBPART L: PARTICULATE MATTER EMISSIONS FROM PROCESS
 EMISSION SOURCES

Section
 212.321 New Process Sources
 212.322 Existing Process Sources
 212.323 Stock Piles
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SUBPART N: FOOD MANUFACTURING

- Section
212.361 Corn Wet Milling Processes
212.362 Sources in Certain Areas
- SUBPART O: PETROLEUM REFINING, PETROCHEMICAL AND
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- Section
212.381 Catalyst Regenerators of Fluidized Catalytic Converters

SUBPART Q: STONE, CLAY, GLASS AND CONCRETE MANUFACTURING

- Section
212.421 New Portland Cement Processes
212.422 Portland Cement Manufacturing Processes
212.423 Emission Limits for the Portland Cement Manufacturing Plant Located in LaSalle County, South of the Illinois River
- 212.424 Fugitive Particulate Matter Control for the Portland Cement Manufacturing Plant and Associated Quarry Operations Located in LaSalle County, South of the Illinois River
- 212.425 Sources in Certain Areas

SUBPART R: PRIMARY AND FABRICATED METAL PRODUCTS AND MACHINERY MANUFACTURE

- Section
212.441 Steel Manufacturing Processes
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212.443 By-Product Coke Plants
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212.448 Electric Arc Furnaces
212.449 Argon-Oxygen Decarburization Vessels
212.450 Liquid Steel Charging
212.451 Hot Scarfing Machines
212.452 Measurement Methods
212.455 Highlines on Steel Mills
212.456 Certain Small Foundries
212.457 Certain Small Iron-melting Air Furnaces

212.458 Sources in Certain Areas

SUBPART S: AGRICULTURE

- Section
212.461 Grain Handling and Drying in General
212.462 Grain Handling Operations
212.463 Grain Drying Operations
212.464 Sources in Certain Areas

SUBPART T: CONSTRUCTION AND WOOD PRODUCTS

- Section
212.681 Grinding, Woodworking, Sandblasting and Shotblasting
- 212.682 Appendix A Rule into Section Table
212.683 Appendix B Section into Rule Table
212.684 Appendix C Past Compliance Dates
- 212.685 Illustration A: Allowable Emissions from Solid Fuel Combustion Emission Sources Outside Chicago
- 212.686 Illustration B: Limitations for all New Process Emission Sources
- 212.687 Illustration C: Limitations for all Existing Process Emission Sources
- 212.688 Illustration D: McCook Vicinity Map
- 212.689 Illustration E: Lake Calumet Vicinity Map
- 212.690 Illustration F: Granite City Vicinity Map

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rules 202 and 203: Visual and Particulate Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-15, 32 PCB 403, at 3 Ill. Reg. 5, p. 798, effective February 3, 1979; amended in R78-10, 35 PCB 347, at 3 Ill. Reg. 39, p. 184, effective September 28, 1979; amended in R78-11, 35 PCB 505, at 3 Ill. Reg. 45, p. 100, effective October 26, 1979; amended in R78-9, 38 PCB 411, at 4 Ill. Reg. 24, p. 514, effective June 4, 1980; amended in R79-11, 43 PCB 481, at 5 Ill. Reg. 11590, effective October 19, 1981; codified at 7 Ill. Reg. 13591; amended in R82-1 (Docket A), 10 Ill. Reg. 12637, effective July 9, 1986; amended in R85-33 at 10 Ill. Reg. 18030, effective

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October 7, 1986; amended in R84-48 at 11 Ill. Reg. 691, effective December 18, 1986; amended in R84-42 at 11 Ill. Reg. 1410, effective December 30, 1986; amended in R82-1 (Docket B) at 12 Ill. Reg. 12492, effective July 13, 1988; amended in R91-6 at 15 Ill. Reg. 15708, effective October 14, 1991; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R91-22 at 16 Ill. Reg. 7880, effective May 11, 1992.

May 11, 1992

SUBPART A: GENERAL

Section 212.107 Measurement Method for Visible Emissions

Detection of visible emissions from both process emission sources and fugitive particulate matter emission sources shall be conducted in accordance with Method 22, 40 CFR 60, Appendix A, incorporated by reference in Section 212.113, except that the length of the observing period shall be at the discretion of the observer, but not less than one minute.

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992.)

Section 212.108 Measurement Methods for PM-10 Emissions

a) Emissions of PM-10 shall be measured by any of the following methods at the option of the owner or operator of an emissions source.

- 1) Method 201, 40 CFR 51, Appendix M, incorporated by reference in Section 212.113.
- 2) Method 201A, 40 CFR 51, Appendix M, incorporated by reference in Section 212.113.
- 3) Method 5, 40 CFR 60, Appendix A, incorporated by reference in Section 212.113, provided that all particulate matter measured by Method 5 shall be considered to be PM-10.

b) The volumetric flow rate and gas velocity shall be determined in accordance with Methods 1, 1A, 2, 2A, 2C, 2D, 3 or 4, 40 CFR 60 Appendix A, incorporated by reference in Section 212.113.

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c) Upon a written notification by the Illinois Environmental Protection Agency (Agency), the owner or operator of a PM-10 emission source subject to this Section shall conduct the applicable testing for PM-10 emissions, opacity, or visible emissions at such person's own expense, to demonstrate compliance. Such test results shall be submitted to the Agency within 30 days after conducting the test unless an alternative time for submittal is agreed to by the Agency.

d) A person planning to conduct testing for PM-10 emissions to demonstrate compliance shall give written notice to the Agency of that intent. Such notification shall be given at least 30 days prior to initiation of the test unless a shorter pre-notification is agreed to by the Agency. Such notification shall state the specific test methods from subsection (a) that will be used.

e) The owner or operator of an emission source subject to this Section shall retain records of all tests which are performed. These records shall be retained for at least three years after the date a test is performed.

f) This Section shall not affect the authority of the United States Environmental Protection Agency under Section 114 of the Clean Air Act (42 U.S.C. § 7414 (1990)).

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992.)

Section 212.109 Measurement Methods for Opacity

Except as otherwise provided in this Part, and except for the methods of data reduction when applied to Sections 212.122 and 212.123, measurements of opacity shall be conducted in accordance with Method 9, 40 CFR Part 60, Appendix A, incorporated by reference in Section 212.113, except that for roadways and parking areas the number of readings required for each vehicle pass will be three taken at 5-second intervals. The first reading shall be at the point of maximum opacity and second and third readings shall be made at the same point, the observer standing at right angles to the plume at least 15 feet away from the plume and observing 4 feet above the surface of the roadway.

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or parking area. After four vehicles have passed, the 12 readings will be averaged.

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992
____.)

Section 212.110 Measurement Methods For Particulate Matter

- a) Particulate Matter Measurement. Particulate matter emissions from stationary emission sources subject to this Part shall be conducted in accordance with 40 CFR 60 Appendix A Methods 5, 5A, 5D, or 5E, as incorporated by reference in Section 212.113.
- b) Flow Rate and Gas Velocity Measurement. The volumetric flow rate and gas velocity shall be determined in accordance with 40 CFR 60, Appendix A, Methods 1, 1A, 2, 2A, 2C, 2D, 3 and 4, incorporated by reference in Section 212.113.
- c) Opacity Measurement. Measurement of opacity shall be conducted in accordance with 40 CFR 60, Appendix A, Method 9 and 40 CFR 60.675(c) and (d), incorporated by reference in Section 212.113.
- d) Visible Emissions Measure. ~~Detection~~^{A determination} as to the presence or absence of visible emissions from all process emission sources and fugitive particulate emission sources required to meet a "no-visible emissions" standard, except with respect to Section 212.301, shall be conducted in accordance with 40 CFR 60, Appendix A, Method 22, incorporated by reference in Section 212.113, except that the length of the observing period shall be at the discretion of the observer, but not less than one minute.
- e) Test Methods for PM-10 Emissions. Emissions of PM-10 shall be measured by any of the following methods at the option of the owner or operator of an emissions source.
 - 1) 40 CFR 51, Appendix M, Method 201, incorporated by reference in Section 212.113.
 - 2) 40 CFR 51, Appendix M, Method 201A, incorporated

by reference in Section 212.113.

- 3) 40 CFR 60, Appendix A, Method 5, incorporated by reference in Section 212.113, provided that all Particulate Matter measured by Method 5 shall be considered to be PM-10.
- f) Test Methods for Condensible PM-10 Emissions. Emissions of condensible PM-10 shall be measured by 55 Fed. Reg. 41546 Method 202 incorporated by reference in Section 212.113.
- g) Upon a written notification by the Agency, the owner or operator of a PM-10 emission source subject to this Part shall conduct the applicable testing for PM-10 emissions, condensible PM-10 emissions, opacity, or visible emissions at such person's own expense, to demonstrate compliance. Such test results shall be submitted to the Agency within 30 days of conducting the test unless an alternative time for submittal is agreed to by the Agency.
- h) A person planning to conduct testing for PM-10 or condensible PM-10 emissions to demonstrate compliance shall give written notice to the Agency of that intent. Such notification shall be given at least 30 days prior to the initiation of the test unless a shorter period is agreed to by the Agency. Such notification shall state the specific test methods from this Section that will be used.
- i) The owner or operator of an emission source subject to this Part shall retain records of all tests which are performed. These records shall be retained for at least three years after the date a test is performed.
- j) This Section shall not affect the authority of the United States Environmental Protection Agency under Section 114 of the Clean Air Act (42 U.S.C.A. Par. 7401 et seq. (1990)).

(Source: Amended at 16 Ill. Reg. 7880, effective May 11, 1992
____.)

Section 212.113 Incorporations by Reference

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The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

- a) Ringelmann Chart, Information Circular 833 (Revision of IC7718), Bureau of Mines, U.S. Department of Interior, May 1, 1967.

- b) 40 CFR 60, Appendix A (1990):

- 1) Method 1: Sample and Velocity Traverses for Stationary Sources;
- 2) Method 1A: Sample and Velocity Traverses for Stationary Sources with Small Stacks or Ducts;
- 3) Method 2: Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S pitot tube);
- 4) Method 2A: Direct Measurement of Gas Volume Through Pipes and Small Ducts;
- 5) Method 2C: Determination of Stack Gas Velocity and Volumetric Flow Rate in Small Stacks or Ducts (Standard Pitot Tube);
- 6) Method 2D: Measurement of Gas Volumetric Flow Rates in Small Pipes and Ducts;
- 7) Method 3: Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight;
- 8) Method 4: Determination of Moisture Content in Stack Gases;
- 9) Method 5: Determination of Particulate Emissions From Stationary Sources;
- 10) Method 5A: Determination of Particulate Emissions From the Asphalt Processing and Asphalt Roofing Industry;
- 11) Method 5D: Determination of Particulate Matter Emissions From Positive Pressure Fabric Filters;
- 12) Method 5E: Determination of Particulate Emissions

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From the Wool Fiberglass Insulation Manufacturing Industry:

- ~~1013~~ Method 9: Visual Determination of the Opacity of Emissions from Stationary Sources;

- ~~1114~~ Method 22: Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares.

- c) 40 CFR 51 Appendix M (1990):

- 1) Method 201: Determination of PM-10 Emissions;
- 2) Method 201A: Determination of PM-10 Emissions (Constant Sampling Rate Procedure).
- d) 40 CFR 60.672 (b), (c), (d), and (e) (1990).
- e) 40 CFR 60.675(c) and (d) (1990).
- f) ASAE Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers, American Society of Agricultural Engineers, 2950 Niles Road, St. Joseph, MI 49085.
- g) U.S. Sieve Series, ASTM-E11, American Society of Testing Materials, 1916 Race Street, Philadelphia, PA 19103.
- h) 55 FR Fed. Reg. 415467 (October 12, 1990), Method 202: Determination of Condensible Particulate Emissions from Stationary Sources.

(Source: Amended at 16 Ill. Reg. 7880, effective May 11, 1992.)

SUBPART E: PARTICULATE MATTER EMISSIONS FROM FUEL COMBUSTION
EMISSIONS SOURCES

Section 212.210

Emissions Limitations for Certain Fuel Combustion Emission Sources Located in the Vicinity of Granite City

- a) No person shall cause or allow emissions of PM-10 into

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the atmosphere to exceed 12.9 ng/J (0.03 lbs. per mmbtu) of heat input from fuels other than natural gas during any one hour period from any industrial fuel combustion emissions source, other than in an integrated iron and steel plant, located in the vicinity of Granite City, which area is defined in Section 212.324(a)(1)(C).

- b) Compliance Date. Sources shall comply with the emissions limitations of this Section within one year following its effective date, or by December 10, 1993, whichever is earlier.

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992.)

SUBPART K: FUGITIVE PARTICULATE MATTER

Section 212.302 Geographical Areas of Application

- a) Except for those operations subject to Subpart S (Grain-Handling and Grain-Drying Operations) that are outside the areas defined in Section 212.324(a)(1), Sections 212.304 through 212.310, and 212.312 shall apply to all mining operations (SIC major groups 10 through 14), manufacturing operations (SIC major groups 20 through 39), and electric generating operations (SIC group 491), which are located in the areas defined by the boundaries of the following townships, notwithstanding any political subdivisions contained therein, as the township boundaries were defined on October 1, 1979, in the following counties:

Cook: All townships
 Lake: Shields, Waukegan, Warren
 DuPage: Addison, Winfield, York
 Will: DuPage, Plainfield, Lockport, Channahon, Peotone, Florence, Joliet
 Peoria: Richwoods, Limestone, Hollis, Peoria, City of Peoria
 Tazewell: Fondulac, Pekin, Cincinnati, Groveland, Washington
 Macon: Decatur, Hickory Point
 Rock Island: Blackhawk, Coal Valley, Hampton, Moline, South Moline, Rock Island, South Rock

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Island
 LaSalle, Utica
 Madison: Alton, Chouteau, Collinsville, Edwardsville, Fort Russell, Godfrey, Granite City, Nameoki, Venice, Wood River
 St. Clair: Canteen, Caseyville, Centerville, St. Clair, Stites, Stookey, Sugar Loaf, Millstadt

- b) In the geographical areas defined in Section 212.324(a)(1), Sections 212.304 through 212.310, 212.312, and 212.316 shall apply to all sources identified in subsection (a), and shall further apply to the following operations: grain-handling and grain-drying (Subpart S), transportation, communications, electric, gas, and sanitary services (SIC major groups 40 through 49). Additionally, Sections 212.304 through 212.310, 212.312, and 212.316 shall apply to wholesale trade-farm supplies (SIC Industry No. 5191) located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C).

- c) Compliance Date. Compliance with subsection (b) is required one year following its effective date, or by December 10, 1993, whichever is earlier.

(Source: Amended at 16 Ill. Reg. 7880, effective May 11, 1992.)

Section 212.309 Operating Program

- a) The sources described in Sections 212.304 through 212.308 and Section 212.316 shall be operated under the provisions of an operating program, consistent with the requirements set forth in Sections 212.310 and 212.312 of this Part, and prepared by the owner or operator and submitted to the Agency for its review. Such operating program shall be designed to significantly reduce fugitive particulate matter emissions.

- b) Compliance Date. The amendment to this Section incorporating the applicability of Section 212.316 shall apply one year following its effective date or on December 10, 1993, whichever is earlier.

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(Source: Amended at 16 Ill. Reg. 7880, effective May 11, 1992)

Section 212.316

Emission Limitations for Sources in Certain Areas

- a) Applicability. This Section shall apply to those operations specified in Section 212.302 and that are located in areas defined in Section 212.324(a)(1).
- b) Emission Limitation for Crushing and Screening Operations. No person shall cause or allow fugitive particulate matter emissions generated by the crushing or screening of slag, stone, coke or coal to exceed an opacity of 10%.
- c) Emission Limitations for Roadways or Parking Areas. No person shall cause or allow fugitive particulate matter emissions from any roadway or parking area to exceed an opacity of 10%, except that the opacity shall not exceed 5% at quarries with a capacity to produce more than 1 million tons per year of aggregate.
- d) Emission Limitations for Storage Piles. No person shall cause or allow fugitive particulate matter emissions from any storage pile to exceed an opacity of 10%, to be measured four feet from the pile surface.
- e) Additional Emissions Limitations for the Granite City Vicinity as Defined in Section 212.324(a)(1)(C).
 - 1) Emissions Limitations for Roadways or Parking Areas Located at Slag Processing Facilities or Integrated Iron and Steel Manufacturing Plants. No person shall cause or allow fugitive particulate matter emissions from any roadway or parking area located at a slag processing facility or integrated iron and steel manufacturing plant to exceed an opacity of 5%.
 - 2) Emissions Limitations for Marine Terminals.
 - A) No person shall cause or allow fugitive particulate matter emissions from any loading spouts for truck or railcar to exceed an

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Opacity of 10%.

- B) No person shall cause or allow fugitive particulate matter emissions generated at barge unloading, dump pits, or conveyor transfer points including, but not limited to, transfer onto and off of a conveyor, to exceed an opacity of 5%.
- f) Emission Limitation for All Other Sources. Unless a source has been assigned a particulate matter, PM-10, or fugitive particulate matter emissions limitation elsewhere in this Section or in Subparts R or S, no person shall cause or allow fugitive particulate matter emissions from any source to exceed an opacity of 20%.
- g) Recordkeeping and Reporting
 - 1) The owner or operator of any fugitive particulate matter emission source subject to this Section shall keep written records of the application of control measures as may be needed for compliance with the opacity limitations of this Section and shall submit to the Agency an annual report containing a summary of such information.
 - 2) The records required under this subsection shall include at least the following:
 - A) the name and address of the plant;
 - B) the name and address of the owner and/or operator of the plant;
 - C) a map or diagram showing the location of all emission sources controlled including the location, identification, length, and width of roadways;
 - D) for each application of water or chemical solution to roadways by truck: the name and location of the roadway controlled, application rate of each truck, frequency of each application, width of each application, total identification of each truck used, total

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quantity of water or chemical used for each application and, for each application of chemical solution, the concentration and identity of the chemical.

- E) for application of physical or chemical control agents: the name of the agent, application rate and frequency, and total quantity of agent and, if diluted, percent of concentration, used each day;
- F) a log recording incidents when control measures were not used and a statement of explanation.
- 3) Copies of all records required by this Section shall be submitted to the Agency within ten (10) working days after a written request by the Agency and shall be transmitted to the Agency by a company-designated person with authority to release such records.
- 4) The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Agency representatives during working hours.
- 5) A quarterly report shall be submitted to the Agency stating the following: the dates any necessary control measures were not implemented, a listing of those control measures, the reasons that the control measures were not implemented, and any corrective actions taken. This information includes, but is not limited to, those dates when controls were not applied based on a belief that application of such control measures would have been unreasonable given prevailing atmospheric conditions, which shall constitute a defense to the requirements of this Section. This report shall be submitted to the Agency 30 calendar days from the end of a quarter. Quarters end March 31, June 30, September 30, and December 31.
- h) Compliance Date. Sources shall comply with the

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emissions limitations and recordkeeping and reporting requirements of this Section within one year following the effective date of this Section, or by December 10, 1993, whichever is earlier.

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992.)

SUBPART L: PARTICULATE MATTER EMISSIONS FROM
PROCESS EMISSION SOURCES

Section 212.324 Process Emission Sources in Certain Areas

a) Applicability.

- 1) This Section shall apply to any process emission source located in any of the following areas:

- A) That area bounded by lines from Universal Transmercator (UTM) coordinate 428000mE, 4631000mN, east to 435000mE, 4631000mN, south to 435000mE, 4623000mN, west to 428000mE, 4623000mN, north to 428000mE, 4631000mN, in the vicinity of McCook in Cook County, as shown in Illustration D;
- B) That area bounded by lines from Universal Transmercator (UTM) coordinate 445000mE, 4622180mN, east to 456265mE, 4622180mN, south to 456265mE, 4609020N, west to 445000mE, 4609020mN, north to 445000mE, 4622180mN, in the vicinity of Lake Calumet in Cook County, as shown in Illustration E;
- C) That area bounded by lines from Universal Transmercator (UTM) coordinate 744000mE, 4290000mN, east to 753000mE, 4290000mN, south to 753000mE, 4283000mN, west to 744000mE, 4283000mN, north to 744000mE, 4290000mN, in the vicinity of Granite City in Madison County, as shown in Illustration F.
- 2) This Section shall not alter the applicability of Sections 212.321 and 212.322 of this Part.

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- 3) The emission limitations of this Section are not applicable to any source subject to a specific emissions standard or limitation contained in any of the following Subparts:

- (A) Subpart N, Food Manufacturing;
- (B) Subpart O, Stone, Clay, Glass and Concrete Manufacturing;
- (C) Subpart R, Primary and Fabricated Metal Products and Machinery Manufacture; and
- (D) Subpart S, Agriculture.

- b) General Emission Limitation. Except as otherwise provided in this Section, no person shall cause or allow the emission, into the atmosphere, of PM-10 from any process emission source to exceed 68.7 mg/scm (0.03 gr/scf) during any one hour period.

- c) Alternative Emission Limitation. In lieu of the emission limit of 68.7 mg/scm (0.03 gr/scf) contained in subsection (b), no person shall cause or allow the emissions of the following sources to exceed the corresponding limitations in the following table:

Source	Emissions Limit Metric	English
1) Shotblasting emissions sources in the Village of McCook equipped with fabric filter(s) as of June 1, 1991	22.9 mg/scm	0.01 gr/scf
2) All process emissions sources at manufacturers of steel wool with soap pads located in the Village of McCook	5% opacity	5% opacity

- d) Exceptions. The mass emission limits contained in subsections (b) and (c) shall not apply to those

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sources with no visible emissions other than fugitive particulate matter.

- e) Special Emissions Limitation for Fuel-Burning Process Emissions Sources in the Vicinity of Granite City. No person shall cause or allow emissions of PM-10 into the atmosphere to exceed 12.9 ng/J (0.03 lbs. per mmbtu) of heat input from the burning of fuel other than natural gas at any process emissions source located in the vicinity of Granite City as defined in subsection (a)(1)(C).

- f) Maintenance and Repair. For any process emission source subject to subsection (a), the owner or operator shall maintain and repair all air pollution control equipment in a manner that assures that the emission limits and standards in this Section shall be met at all times. This Section shall not affect the applicability of Section 201.149. Proper maintenance shall include the following minimum requirements:

- 1) Visual inspections of air pollution control equipment;
- 2) Maintenance of an adequate inventory of spare parts; and
- 3) Expedient repairs, unless the source is shutdown.

- g) Recordkeeping of Maintenance and Repair.

- 1) Written records of inventory and documentation of inspections, maintenance, and repairs of all air pollution control equipment shall be kept in accordance with subsection (f) of this Section.
- 2) The owner or operator shall document any period during which any process emission source was in operation when the air pollution control equipment was not in operation or was malfunctioning so as to cause an emissions level in excess of the emissions limitation. These records shall include documentation of causes for pollution control equipment not operating or such malfunction and

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shall state what corrective actions were taken and what repairs were made.

- 3) A written record of the inventory of all spare parts not readily available from local suppliers shall be kept and updated.
- 4) Copies of all records required by this Section shall be submitted to the Agency within ten (10) working days of a written request by the Agency.
- 5) The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Agency representatives during working hours.
- 6) Upon written request by the Agency a report shall be submitted to the Agency for any period specified in the request stating the following: the dates during which any process emissions source was in operation when the air pollution control equipment was not in operation or was not operating properly, documentation of causes for pollution control equipment not operating or not operating properly, and a statement of what corrective actions were taken and what repairs were made.

- h) Compliance Date. Sources shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section within one year of the effective date of this Section, or by December 10, 1993, whichever is earlier.

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992
_____.)

SUBPART N: FOOD MANUFACTURING

Section 212.362 Sources in Certain Areas

a) Applicability.

- 1) Subsections (b)(1) through (b)(4) shall apply to those sources engaged in food manufacturing, and

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located in the Village of Bedford Park west of Archer Avenue and in the area defined in Section 212.324(a)(1)(A).

- 2) Subsection (b)(5) applies to an instant tea manufacturing plant in Granite City, as defined in Section 212.324(a)(1)(C).

b) Emission Limitation. No person shall cause or allow the emission of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed the following limits during any one hour period:

- 1) 22.9 mg/scm (0.01 gr/scf) for dextrose dryers, dextrose melt tank systems, bulk dextrose loading systems, house dry dextrose dust systems, dextrose bagging machine dust systems; dextrose expansion dryer/cooler and packing systems and 2034 dextrose dryer/cooler dust collecting systems;
- 2) 34.3 mg/scm (0.015 gr/scf) for feed dryers, gluten dryers, germ dryers, and heat recovery scrubbers;
- 3) 68.7 mg/scm (0.03 gr/scf) for germ cake transport systems, spent flake transport/cooling systems, bleaching clay systems, dust pickup bin systems in Building 26, and pellet cooler systems;
- 4) 45.8 mg/scm (0.02 gr/scf) for germ transport systems, starch dust collection systems, dicalite systems, starch processing/transport systems, starch dryers, starch transport systems, calcium carbonate storage systems, starch loading systems, corn unloading systems, germ transfer towers, dextrose transport systems, soda ash unloading systems, corn silo systems, filter aid systems, spent flake storage systems, corn cleaning transport systems, feed transport cooling systems, gluten cooling systems, gluten transport systems, feed dust systems, gluten dust systems, pellet dust systems, spent flake transport systems, rail car maintenance system building, and dextrose expansion milling and storage systems.
- 5) 22.9 mg/scm (0.01 gr/scf) for any process

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emissions source at an instant tea manufacturing plant in Granite City, except the spray dryer, raw tea storage silo, and instant tea filling machines.

- c) Exceptions. The emission limits contained in subsection (b) shall not apply to those sources with no visible emissions other than fugitive matter.
- d) Maintenance, Repair, and Recordkeeping. The requirements of subsections (f) and (g) of Section 212.324 shall also apply to this Section.
- e) Compliance Date. Sources shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section within one year of the effective date of this Section, or by December 10, 1993, whichever is earlier.

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992.)

SUBPART Q: STONE, CLAY, GLASS AND CONCRETE MANUFACTURING
Section 212.425 Sources in Certain Areas

- a) Applicability. This Section shall apply to those sources located in those areas defined in Section 212.324(a)(1).
- b) Emission Limitation. No person shall cause or allow the emission of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed the following limits during any one hour period:

1) 57.2 mg/scm (0.025 gr/scf) for coater and cooling loop ventilator at roofing asphalt manufacturing plant located in the Village of Summit;

2) 34.3 mg/scm (0.015 gr/scf) for mineral filler handling sources at roofing asphalt manufacturing plant located in the Village of Summit;

3) 0.03 kg/Mg (0.06 lb/T) of asphalt mixed for asphalt mixer at roofing asphalt manufacturing

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plant located in the Village of Summit:

- 4) 91.6 mg/scm (0.04 gr/scf) for roofing asphalt blowing stills, except stills Nos. 1 and 2, at roofing asphalt manufacturing plant located in the Village of Summit;
- 5) 45.8 mg/scm (0.02 gr/scf) for kilns in the lime manufacturing industry;
- 6) 22.9 mg/scm (0.01 gr/scf) for all other process emission sources in the lime manufacturing industry;
- 7) 0.325 kg/Mg (0.65 lb/T) of glass produced for all glass melting furnaces.

c) Exceptions. The emission limits contained in subsection (b) of this Section shall not apply to those sources with no visible emissions other than fugitive particulate matter.

d) Maintenance, Repair, and Recordkeeping. The requirements of subsections (f) and (g) of Section 212.324 shall also apply to this Section.

e) Compliance Date. Sources shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section within one year of the effective date of this Section, or by December 10, 1993, whichever is earlier.

(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992.)

SUBPART R: PRIMARY AND FABRICATED METAL PRODUCTS
AND MACHINERY MANUFACTURE
Section 212.458 Sources in Certain Areas

- a) Applicability. This Section shall apply to those sources located in those areas defined in Section 212.324(a)(1).
- b) Emission Limitation. No person shall cause or allow

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emissions of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed the following limits during any one hour period:

- 1) 15.9 ng/J (0.037 lbs. per mmbtu) of heat input from any fuel combustion source located at the steel plant between 106th and 111th Streets in City of Chicago;
- 2) 22.9 mg/scm (0.01 gr/scf) for the basic oxygen furnace additive systems in the Village of Riverdale;
- 3) 4.3 ng/J (0.01 lbs. per mmbtu) of heat input from the burning of fuel in the soaking pits in the Village of Riverdale;
- 4) 64.08 mg/scm (0.028 gr/scf) from the electrostatic precipitator discharge of the basic oxygen process in the Village of Riverdale;
- 5) 45.8 mg/scm (0.02 gr/scf) from the pickling process at a steel plant in the Village of Riverdale;
- 6) 5% opacity for coal handling systems equipped with fabric filter(s) at steel plant located in the City of Chicago;
- 7) 22.9 mg/scm (0.01 gr/scf) from any process emissions source located at integrated iron and steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C), except as otherwise provided in this Section or in Sections 212.443 and 212.446;
- 8) 5% opacity for continuous caster spray chambers or continuous casting operations at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 9) 32.25 ng/J (0.075 lbs per mmbtu) of heat input from the burning of coke oven gas at all sources, other than coke oven combustion stacks, at steel plants in the vicinity of Granite City, as defined

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in Section 212.324(a)(1)(C);

- 10) 38.7 ng/J (0.09 lbs. per mmbtu) of heat input from the slab furnaces at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 11) 22.9 mg/scm (0.01 gr/scf) for all process emissions sources at secondary lead processing plant located in Granite City, except the salt flux crusher;
- 12) 22.9 mg/scm (0.01 gr/scf) for any melting furnace at secondary aluminum smelting and refining plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 13) 45.8 mg/scm (0.02 gr/scf) from No. 6 mill brusher, and metal chip handling system at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 14) 0.05 kg/Mg (0.01 lb/T) of sand processed from molding sand forming systems at steel foundry plant located in Granite City;
- 15) 0.01 kg/Mg (0.02 lbs/T) of sand processed from recycle sand shakeouts at steel foundry plant located in Granite City;
- 16) 22.9 mg/scm (0.01 gr/scf) for all other process emissions sources at steel foundry plant in Granite City, except the sand dryer, sand cooler, chill tumbler, paint booth, chromite reclamation and core baking ovens;
- 17) 41.2 mg/scm (0.018 gr/scf) for cold rolling mill emissions sources at metal finishing plant located in the Village of McCook;
- 18) 2.15 ng/J (0.005 lbs/mmbtu) of heat input from the burning of fuel in any process emission source at secondary aluminum smelting and refining plant and/or aluminum finishing plant;

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- 19) 22.9 mg/scm (0.01 gr/scf) from dross pad, dross cooling, and dross mixing sources at secondary aluminum smelting and refining plant and/or aluminum finishing plant;
- 20) 12.9 ng/J (0.03 lbs/mmbtu) of heat input from any fuel combustion emission source that heats air for space heating purposes at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 21) 68.7 mg/scm (0.03 gr/scf) for any holding furnace at secondary aluminum smelting and refining plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 22) 2.15 ng/J (0.005 lbs per mmbtu) of heat input from the steel works boilers located at the steel making facilities at steel plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 23) 31.1 kg (68.5 lbs) for the total of all basic oxygen furnace processes described in Section 212.446(a) and located at steel plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 24) North and South furnaces at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C), cannot be operated simultaneously;
- 25) Magnesium pot furnaces at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C), can be operated only one line at a time;
- 26) 2.15 ng/J (0.005 lbs/mmbtu) of heat input from any fuel combustion source at secondary aluminum smelting and refining plant and/or aluminum finishing plant except as provided in subsection

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- (b)(20):
- 27) 91.6 mg/scm (0.040 gr/scf) and 0.45 kg/hr (1 lb/hr) for melting furnaces Nos. 6, 7, and 8 at metal finishing plant in the Village of McCook, with operation limited to no more than two of these furnaces at one time;
- 28) 183 mg/scm (0.080 gr/scf) and 0.91 kg/hr (2 lbs/hr) for holding furnaces Nos. 6, 7, and 8 at metal finishing plant in the Village of McCook, with operation limited to no more than two of these furnaces at one time;
- 29) 54.9 mg/scm (0.024 gr/scf) and 1.81 kg/hr (4 lbs/hr) for melting furnaces Nos. 24, 25, and 26 at metal finishing plant in the Village of McCook;
- 30) 34.3 mg/scm (0.015 gr/scf) and 1.81 kg/hr (4 lbs/hr) for melting furnaces Nos. 27, 28, 29, and 30 at metal finishing plant in the Village of McCook;
- 31) 32.0 mg/scm (0.014 gr/scf) and 0.45 kg/hr (1 lb/hr) for holding furnaces Nos. 24, 25, and 26 at metal finishing plant in the Village of McCook, except that during fluxing operation those furnaces may emit 195 mg/scm (0.085 gr/scf) and 2.72 kg/hr (6 lb/hr);
- 32) 34.3 mg/scm (0.015 gr/scf) and 0.45 kg/hr (1 lb/hr) for holding furnaces Nos. 27, 28, 29, and 30 at metal finishing plant in the Village of McCook, except that during fluxing operation those furnaces may emit 217 mg/scm (0.095 gr/scf) and 2.72 kg/hr (6 lb/hr);
- 33) Fluxing operations at holding furnaces Nos. 24, 25, 26, 27, 28, 29, and 30 at metal finishing plant in the Village of McCook shall be limited to no more than three at any one time.
- c) Exceptions. The mass emission limits contained in subsection (b) shall not apply to those sources with no

POLLUTION CONTROL BOARD

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visible emissions other than that of fugitive particulate matter.

- d) Maintenance, Repair, and Recordkeeping. The requirements of subsections (f) and (g) of Section 212.324 shall also apply to this Section.

- e) Compliance Date. Compliance with this Section is required by December 10, 1993.

(Source: Added at 16 Ill.Reg. 7880, effective May 11, 1992
_____.)

SUBPART S: AGRICULTURE

Section 212.464 Sources in Certain Areas

- a) Applicability. Notwithstanding Section 212.461, this Section shall apply to those sources located in the Lake Calumet area as defined in Section 212.324(a)(1)(B).

b) Emission Limitations

- 1) No person shall cause or allow the emission of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed 22.9 mg/scm (0.01 gr/scf) during any one hour period from any process emissions source engaged in the drying, storing, mixing or treating of grain except for column grain dryers; in addition, no person shall cause or allow visible emissions of PM-10 other than fugitive particulate matter from grain conveying, transferring, loading, or unloading operations, including garners, scales, and cleaners.

- 2) No person shall cause or allow the emission of fugitive particulate matter into the atmosphere from barges and other watercraft, truck or rail loading or unloading systems to exceed the limits specified in Section 212.123.

- 3) Column grain dryers shall not be eligible for the exemptions as provided in Section 212.461(g).

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- c) Exceptions. The mass emission limits contained in subsection (b) shall not apply to those sources with no visible emissions other than fugitive particulate matter.

- d) Maintenance, Repair, and Recordkeeping. The requirements of subsections (f) and (g) of Section 212.324 shall also apply to this Section.

- e) Compliance Date. Sources shall comply with the emission limitations and recordkeeping and reporting requirements of this Section within one year following the effective date of this Section, or by December 10, 1993, whichever is earlier.

(Source: Added at 16 Ill.Reg. 7880, effective May 11, 1992
_____.)

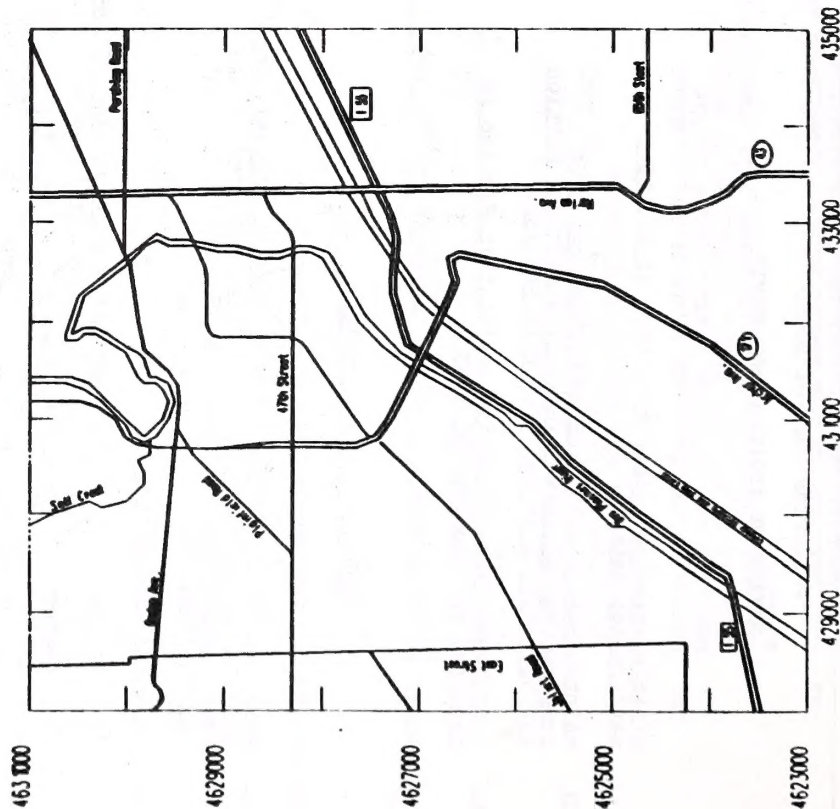
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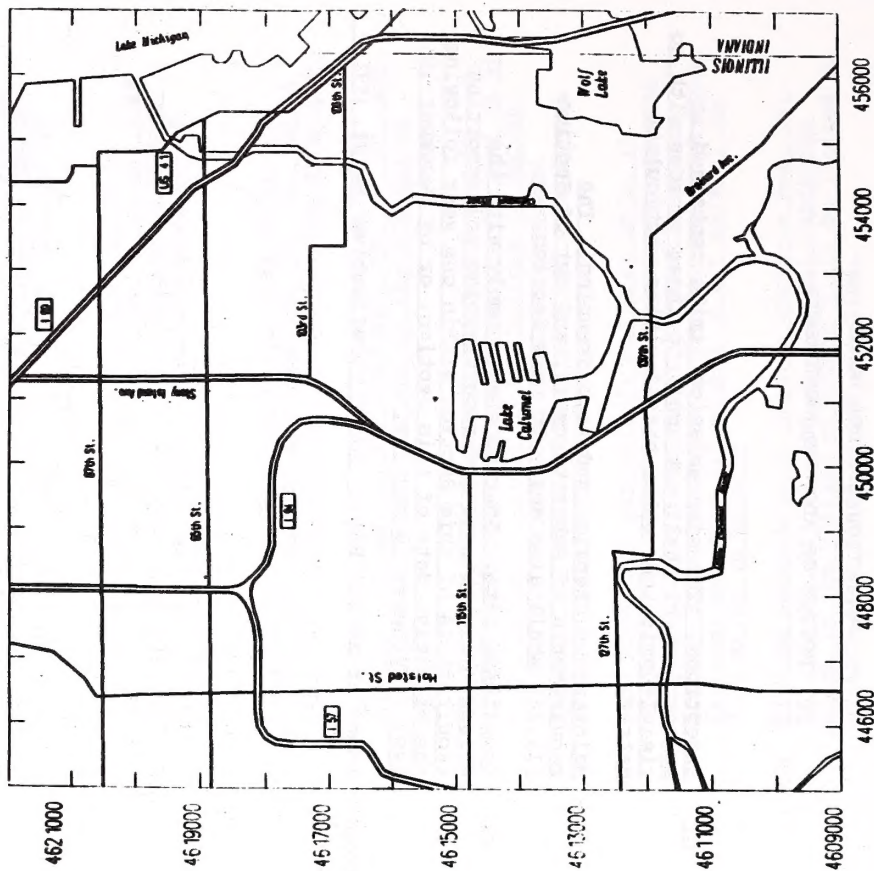
NOTICE OF ADOPTED AMENDMENTS

Section 212. Illustration D McCook Vicinity Map



(Source: Added, at 16 Ill. Reg. 7880, effective May 11, 1992.)

Section 212. Illustration E Lake Calumet Vicinity Map

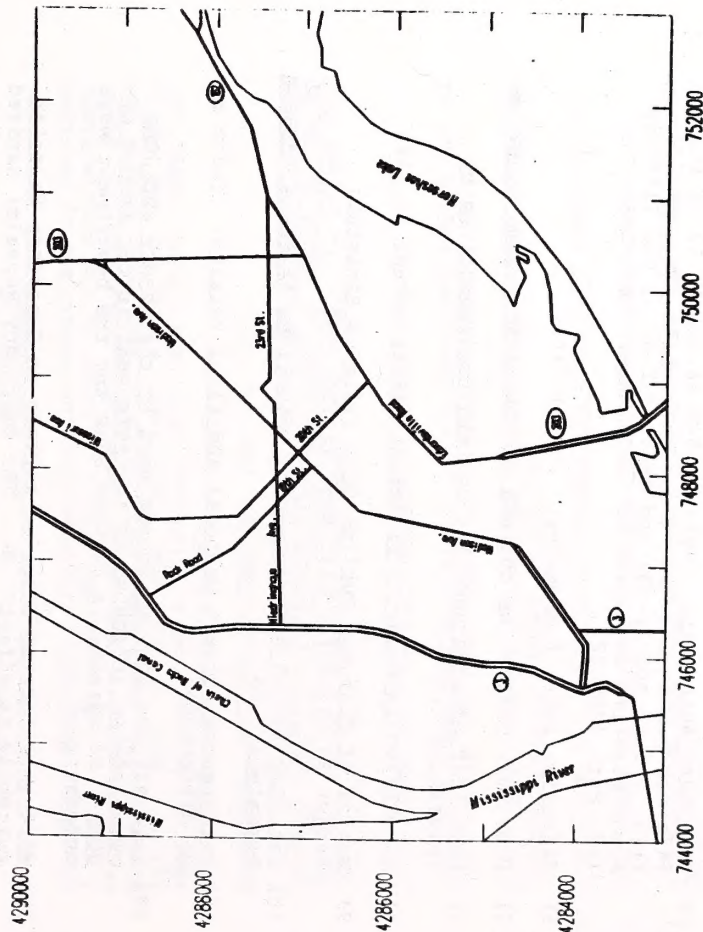


(Source: Added at 16 Ill.Reg. 7880, effective May 11, 1992.)

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Section 212. Illustration F Granite City Vicinity Map



(Source: Added at 16 Ill. Reg. 7880, effective May 11, 1992.)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED REPEALER

1) The Heading of the Part: DRUG MANUAL

2) Code Citation: 89 Ill. Adm. Code 141

3) Section Numbers:

Adopted Action:

141.10,	141.100,	141.200	Repealed
141.240,	141.280,	141.320	Repealed
141.360,	141.400,	141.440	Repealed
141.480,	141.520,	141.560	Repealed
141.600,	141.640,	141.680	Repealed
141.720,	141.760,	141.800	Repealed
141.840,	141.880,	141.920	Repealed
141.960,	141.1000,	141.1040	Repealed
141.1080,	141.1120,	141.1125	Repealed
141.1160,	141.1200,	141.1240	Repealed
141.1280,	141.1320,	141.1360	Repealed
141.1400,	141.1480,	141.1500	Repealed
141.1520,	141.1560,	141.1600	Repealed
141.1640,	141.1680,	141.1720	Repealed
141.1760,	141.1800,	141.1840	Repealed
141.1880,	141.1920,	141.1960	Repealed
141.2000,	141.2040,	141.2080	Repealed
141.2120,	141.2160,	141.2200	Repealed
141.2240,	141.2280,	141.2320	Repealed
141.2360,	141.2400,	141.2440	Repealed
141.2480,	141.2520,	141.2560	Repealed
141.2600,	141.2640,	141.2680	Repealed
141.2720,	141.2760,	141.2800	Repealed
141.2840,	141.2880,	141.2920	Repealed
141.2960,	141.3000,	141.3040	Repealed
141.3080,	141.3120,	141.3160	Repealed
141.3200,	141.3240,	141.3280	Repealed
141.3320,	141.3360,	141.3400	Repealed
141.3440,	141.3480,	141.3520	Repealed
141.3560,	141.3600,	141.3640	Repealed
141.3680,	141.3720,	141.3760	Repealed
141.3800,	141.3840,	141.3880	Repealed
141.3920,	141.3960,	141.4000	Repealed
141.4040,	141.4080,	141.4120	Repealed
141.4160,	141.4200,	141.4230	Repealed
141.4240,	141.4280,	141.4320	Repealed
141.4360,	141.4400,	141.4480	Repealed
141.4520,	141.4560,	141.4600	Repealed
141.4640,	141.4680,	141.4720	Repealed
141.4760,	141.4800,		Repealed

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED REPEALER

- 4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, Ch. 127, Par. 1005.02)
- 5) Effective Date of Repealer: June 1, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this Adopted Repealer contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 1, 1992
- 9) Notice of Proposal Published in Illinois Register: August 30, 1991 (15 Ill. Reg. 12132)
- 10) Has JCAR issued a Statement of Objections to these Adopted Repealers? No
- 11) Differences between proposal and final version: There are no differences.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements between JCAR and the Department were necessary.
- 13) Will this Adopted Repealer replace an Emergency Repealer currently in effect? No. The Emergency Repealer expired on January 12, 1992.
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Adopted Repealer: Effective January 1, 1991, Section 4401 of the Omnibus Reconciliation Act of 1990 requires that coverage of drug products is limited to those drugs manufactured by manufacturers having rebate agreements with the Secretary of HHS. As a result, inclusion and exclusion of drug products from the Drug Manual will no longer be determinative of Department coverage.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED REPEALER

- 16) Information and questions regarding this Adopted Repealer shall be directed to:

Name: Joanne Jones
Bureau of Rules and Regulations

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 524-3215

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

1) HEADING OF THE PART: Camping on Department of Conservation Properties

2) CODE CITATION: 17 Ill. Adm. Code 130

3) SECTION NUMBERS: EMERGENCY ACTION:

130.50
130.70
130.120
130.130

Amendments
Amendments
Amendments
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1, 4(1), and 4(5) of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks", (Ill. Rev. Stat. 1989, ch. 105, pars. 465, 468(1) and 468.5), and by Sections 63a23 and 63a28 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 63a23 and 63a28).

5) EFFECTIVE DATE OF AMENDMENTS: May 11, 1992

6) IF THIS EMERGENCY AMENDMENT IS TO EXPIRE BEFORE THE END OF THE 150-DAY PERIOD, PLEASE SPECIFY THE DATE ON WHICH IT IS TO EXPIRE: This emergency amendment will remain in effect for the 150-day period.

7) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: May 5, 1992

8) REASON FOR EMERGENCY: Passage of the Emergency Budget Act of 1992 allows the Department to increase camping fees.

9) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: Camping fees are being increased.

10) ARE THERE ANY PROPOSED AMENDMENTS TO THIS PART PENDING? No

11) STATEMENT OF STATEWIDE POLICY OBJECTIVES (if applicable):

12) INFORMATION AND QUESTIONS REGARDING THESE AMENDMENTS SHALL BE DIRECTED TO:

Don Woods
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE EMERGENCY AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER a: LANDS AND HISTORIC SITES

PART 130

CAMPING ON DEPARTMENT OF CONSERVATION PROPERTIES

Section	Location
130.10	Purpose of Campground
130.20	Classification of Camps by Equipment Used - Definitions
130.30	Definition of a Camp
130.40	Registrations
130.50	Permits, Extensions and Time Limits
EMERGENCY	Fees and Charges
130.60	Refunds
130.70	Check-in and Check-out Times
EMERGENCY	Unoccupied Camps
130.80	Vehicles per Camp (Refer to 17 Ill. Adm. Code 130.30)
130.90	Youth Group (Boy Scouts, Girl Scouts, Explorers, church groups, or others)
130.100	Organization Group Camps (charter organizations, ROTC, EMERGENCY private clubs or others)
130.110	Campground Host Program
130.120	Use of Campground
130.130	Eviction
130.135	
130.140	
130.150	

AUTHORITY: Implementing and authorized by Sections 1, 4(1), and 4(5) of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks", (Ill. Rev. Stat. 1989, ch. 105, pars. 465, 468(1) and 468.5), and by Sections 63a23 and 63a28 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 63a23 and 63a28).

SOURCE: Adopted at 4 Ill. Reg. 7, p. 110, effective February 4, 1980; emergency amendment at 5 Ill. Reg. 5707, effective June 1, 1981 for a maximum of 150 days; codified at 5 Ill. Reg. 10623; amended at 5 Ill. Reg. 14568, effective December 9, 1981; amended at 6 Ill. Reg. 3840, effective March 31, 1982; amended at 6 Ill. Reg. 9626, effective July 21, 1982; amended at 6 Ill. Reg. 14835, effective November 24, 1982; amended at 7 Ill. Reg. 5870, effective April 22, 1983; amended at 8 Ill. Reg. 5647, effective April 16, 1984; amended at 9 Ill. Reg. 6173, effective April 23, 1985; amended at 9 Ill. Reg. 11594, effective July 16, 1985; amended at 10 Ill. Reg. 9777, effective May 21, 1986; amended at 10 Ill. Reg. 13244, effective July 28, 1986; amended at 11 Ill. Reg. 9506,

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effective May 15, 1987; amended at 14 Ill. Reg. 12402, effective July 20, 1990; emergency amendments at 16 Ill. Reg. 7925, effective May 11, 1992 for a maximum of 150 days.

Section 130.50 Registrations
EMERGENCY

- a) A permit will be issued and fees collected at the time the camp is established or as soon as possible thereafter (see Sections 130.70 and 130.80).
- b) The camping attendant has the authority to assign sites.
- c) A responsible adult from the camping party must register for the party and thereby acknowledge compliance to the rules and regulations of the park for the party.
- d) "Curfew: the provisions of Section 1 of "An Act relating to a curfew for certain children", (Ill. Rev. Stat. 1989, ch. 23, par. 2371) with reference to curfew for persons under the age of 17 years are in effect on Department of Conservation properties".
- e) The camp shelter or any other camping equipment shall not be brought into the park prior to the arrival of the camping party.
- f) No camping equipment shall be placed on any campground site while that site is occupied by another camping party. A person acquiring a permit must have camp shelter at the time of registration and must occupy the site at that time.
- g) In "emergency situations", the camping attendant may designate an area and charge a fee commensurate with facilities provided (see Section 130.70).
- h) Reservations will be accepted at selected sites offering this service. An additional \$3.00 non-refundable fee must be submitted for each site reserved.

(Source: Emergency Amendments at 16 Ill. Reg. 7925, effective May 11, 1992 for a maximum of 150 days)

Section 130.70 Fees and Charges
EMERGENCY

- a) The full amount of the camping fee and, if applicable,

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

the utility fee shall be collected at the time the permit is issued. If checks are taken, they shall be made payable to the Illinois Department of Conservation and the site identified. Camping fees vary in accordance with the degree of campground development and type of facilities available as follows effective May 11, 1992:

- 1) Spring - Summer Camping (May 15 through September 15)
 - A) Class A Sites: Camping fee of \$7.00 \$8.00 per night per site at all sites having availability to showers, electricity and vehicular access, plus an additional \$2.00 \$3.00 utility fee.
 - B) Class B-E Sites: Camping fee of \$6.00 \$7.00 per night per site at all sites having availability to electricity ~~ex-shower~~ and vehicular access, plus an additional \$2.00 \$3.00 utility fee.
 - C) Class B-S Sites: Camping fee of \$8.00 per night per site at all sites having availability to showers and vehicular access.
 - E-D) Class C Sites: Camping fee of \$4.00 \$7.00 per night per site at all sites having vehicular access.
 - E-E) Class D Sites: Camping fee of \$3.00 \$6.00 per night per site, tent camping or primitive sites (walk-in or backpack) with no vehicular access.
 - E-F) Youth Group Camping \$7.50 \$1.00 per person, minimum daily camping fee of \$7.50 \$10.00.
 - G) Adult Group Camping \$3.00 per person, minimum daily camping fee of \$30.00.
 - F-H) Each student or member of an organized youth group utilizing facilities furnished at Dixon Springs State Park and Pere Marquette State Park shall pay a fee of \$2.00 \$3.00 per night or \$3.00 \$4.00 per night for each member of an organized adult group. Fees for day use of the group camps at Pere Marquette shall be \$25.00 \$30.00 per day for youth groups and \$37.50 \$45.00 per day for adult groups.

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6+11) Rent-A-Camp Sites will be made available at designated state parks and recreational areas throughout the department's statewide system. These designated areas will provide, at additional fees of \$8.00 and \$12.00 per night, one large tent (approximately 10' x 13') or one extra large tent (approximately 14' x 14'), respectively (erected), with wood floor, one charcoal grill, one picnic table, one trash barrel, and either four (4) sleeping cots per large tent or eight (8) sleeping cots per extra large tent. The total overnight fee for a rent-a-camp will be based on the basic fees given of \$8.00 or \$12.00 per night in addition to the fee for the class of the camping site A through D on which the rent-a-camps are located, as follows:

i) Rent-A-Camp at Class A Sites:
 \$15.00 or \$16.00 or \$19.00 or \$20.00 plus
 \$2.00 utility fee per night per site
 at all sites having availability to
 showers, electricity and vehicular access.

ii) Rent-A-Camp at Class B-E Sites:
 \$14.00 or \$15.00 or \$18.00 or \$19.00 plus
 \$2.00 utility fee per night per site
 at all sites having availability to
 showers, electricity and vehicular access.

iii) Rent-A-Camp at Class B-S Sites:
 \$16.00 or \$20.00 per night per site at
 all sites having availability to showers
 and vehicular access.

iii+iv) Rent-A-Camp at Class C Sites:
 \$12.00 or \$15.00 or \$16.00 or \$19.00 per night
 per site at all sites having vehicular
 access.

iii+vi) Rent-A-Camp at Class D Sites:
 \$11.00 or \$14.00 or \$15.00 or \$18.00 per night
 per site at all sites having tent camping
 or primitive sites (walk-in or backpack)
 with no vehicular access.

H+J) A \$3.00 per campsite non-refundable fee
 must be remitted at those facilities offering

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reservation services.

2) Fall - Winter Camping (September 16 through May 14)

A) As long as buildings, water and electrical service are available, regardless of the date, the regular camping fee will apply.

B) When cold weather requires closing down buildings and shutting off water in Class A campgrounds, the fee shall be reduced commensurate with the services and facilities available for use.

C) The fee for primitive campsites shall be \$3.00 or \$6.00 per site. When a change in facilities is made and a campsite is reclassified, the fee for a site will change automatically.

b) Exceptions: Employees, Concessionaires, and Special Legislation

1) Except for temporary employees of the Department of Conservation who qualify and are placed in the campground host program at approved camping sites, employees of the Department of Conservation or any other state agency, regardless of their official status, will be required to pay the established camping fee.

2) The concessionaire, manager, or a responsible employee designated by the concessionaire will not be charged the regular camping fee. Rent will be paid at the rate established by the Department or pursuant to the concession lease.

3) A person 62 through 64 years of age, 65 years of age or older, or a person who has a Class 2 disability as defined in Section 4A of The Illinois Identification Card Act (Ill. Rev. Stat. 1989, ch. 124, par. 24A) or a disabled veteran, as defined in Section 5 of "AN ACT creating the Illinois Department of Veterans' Affairs" (Ill. Rev. Stat. 1989, ch. 126 1/2, par. 70), is entitled to the following camping fee provisions, upon qualifying, which will allow the spouse, or minor (under 18) children, or minor grandchildren to be included in

DEPARTMENT OF CONSERVATION

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the camping party. All other members must be registered and pay the regular camping fee for the facilities provided.

A) Illinois residents 62 to and including 64 years of age will be charged one-half the established camping fee on any Monday, Tuesday, Wednesday or Thursday, but must pay the entire established camping fee on any Friday, Saturday or Sunday, and, if at a site with utilities, must pay the entire utility fee for each day of camping. Verification of age may be made by birth certificate, driver's license, Golden Age Passport or other valid document required by law to establish proof of age and date of birth and issued by a federal or state governmental agency.

B) Illinois residents 65 years of age or older may camp without being charged a camping fee on Monday, Tuesday, Wednesday or Thursday, but must pay the entire established camping fee for any Friday, Saturday or Sunday, and, if at a site with utilities, must pay the entire utility fee for each day of camping. Verification of age may be made by birth certificate, driver's license, Golden Age Passport (16 U.S.C. 4601-6a, 1984) or other valid document required by law to establish proof of age and date of birth and issued by a federal or state governmental agency.

C) Illinois residents who have a Class 2 disability as defined in Section 4A of The Illinois Identification Card Act or a disabled veteran, as defined in Section 5 of "AN ACT creating the Illinois Department of Veterans' Affairs" may camp without being charged a camping fee, but if at a site with utilities, must pay the entire utility fee for each day of camping. An individual wishing to qualify for free camping under the provisions stated above must be able to submit one of the following documents as verification:

- i) Applicant must have a current Illinois Disabled Person Identification Card issued by the Secretary of State, or

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- ii) Applicant must possess a free use permit issued by the Illinois Department of Veterans' Affairs (Ill. Rev. Stat. 1989, ch. 126 1/2, par. 70)

4) A person who is a veteran, an Illinois resident, and a former prisoner of war (Section 5(b) of "AN ACT creating the Illinois Department of Veterans' Affairs") is exempt from all camping fees, but if at a site with utilities, must pay the entire utility fee for each day of camping. This shall allow the spouse, or minor children (under 18) or minor grandchildren, to be included in the camping party. An individual wishing to qualify for free camping under the provisions stated above must be able to submit an identification card issued by the Veterans' Administration or other government agency which indicates the cardholder's former prisoner of war status.

(Source: Emergency amendments at 16 Ill. Reg. 7925 effective May 11, 1992 for a maximum of 150 days)

Section 130.120 Youth Group (Boy Scouts, Girl Scouts, Explorers, church groups, or others) EMERGENCY

- a) A youth group/organization camp is a group of five or more minors up to 18 years of age who are members of an organization camping with its adult leaders.
- b) The regular camping fee will be charged on the basis of: \$-50\$1.00/person, or a minimum of \$5-00\$10.00 a day.
- c) These camps will be placed in an organization campground or special area set aside for such use, rather than in the regular campground.
- d) One responsible adult must accompany each group of 15 or less campers under the age of 18.

(Source: Emergency amendments at 16 Ill. Reg. 7925 effective May 11, 1992 for a maximum of 150 days)

Section 130.130 Organization Group Camps (charter organizations, ROTC, private clubs or others) EMERGENCY

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- a) The organized group camping areas are available for camping without showers or electricity. Other forms of camps will be placed in the appropriate sites on an individual and equal basis with other campers.
- b) An organized group camp consisting of 10 or more adults may apply for reservation in the organized group camping area. If the area is available and the Site Superintendent has approved the reservation, each member will pay \$2-00\$3.00 a day camping fee.
- c) If the organized group camping area is unavailable, the organization will be accommodated only as individual campers and will use the regular campgrounds on an equal basis with other campers. The camping fee and utility fee applicable to the campsite classification will be charged for each campsite used by the group.

(Source: Emergency amendments at 16 Ill. Reg. 7925,
effective May 11, 1992 for a maximum of 150 days)

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

- 1) HEADING OF THE PART: Public Use of State Parks and Other Properties of the Department of Conservation
- 2) CODE CITATION: 17 Ill. Adm. Code 110
- 3) SECTION NUMBERS: EMERGENCY ACTION:
110.4 New Section
- 4) STATUTORY AUTHORITY: Implementing and authorized by Section 8 of "AN ACT in relation to State forests, operation of forest tree nurseries, and providing penalties in connection therewith", (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5911); and by Sections 1, 4, and 6 and of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks and nature preserves", approved June 26, 1925, as amended (Ill. Rev. Stat. 1989, ch. 105, pars. 465, 465a, 466, 468, 468b, and 468k); and by Sections 63a, 6311, 63a15, 63a18, and 63a28 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 63a, 63a11, 63a15, 63a18, and 63a28).
- 5) EFFECTIVE DATE OF AMENDMENTS: May 11, 1992
- 6) IF THIS EMERGENCY AMENDMENT IS TO EXPIRE BEFORE THE END OF THE 150-DAY PERIOD, PLEASE SPECIFY THE DATE ON WHICH IT IS TO EXPIRE: This emergency amendment will remain in effect for the 150-day period.
- 7) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: May 5, 1992
- 8) REASON FOR EMERGENCY: Passage of the Emergency Budget Act of 1992 allows the Department to add a new Section to this Part regulating Fees and Charges.
- 9) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: This new Section establishes fees for designated beach and special event areas.
- 10) ARE THERE ANY PROPOSED AMENDMENTS TO THIS PART PENDING? No
- 11) STATEMENT OF STATEWIDE POLICY OBJECTIVES (if applicable):
- 12) INFORMATION AND QUESTIONS REGARDING THESE AMENDMENTS SHALL BE DIRECTED TO:

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

Don Woods
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE EMERGENCY AMENDMENTS BEGINS ON THE NEXT PAGE.

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER a: LANDS AND HISTORIC SITES

PART 110

PUBLIC USE OF STATE PARKS AND OTHER PROPERTIES OF THE
DEPARTMENT OF CONSERVATION

Section	Fees and Charges
110.4 EMERGENCY	
110.5	Unlawful Activities
110.20	Alcoholic Beverages - Possession, Consumption, Influence
110.30	Animals - Pets, Dogs, Cats - Noise, Vicious, Dangerous
	Animals - Horses - Livestock - Animal Waste
110.40	Boats and Other Watercraft
110.45	Abandoned Watercraft
110.50	Capacity of Areas - Usage Limitation
110.60	Camping - Campfires
110.70	Destruction of Property - Flora - Fauna - Man-Made and
	Inanimate Natural Objects - Collection of Artifacts
110.90	Group Activity
110.100	Littering
110.110	Prohibited Fishing Areas - Cleaning of Fish
110.120	Restricted Areas - Metal Detection Devices
110.140	Soliciting/Advertising/Renting/Selling
110.150	Swimming/Wading/Dividing
110.160	Vehicles - Operation on Roadway - Speed - Parking -
	Weight Limit
110.170	Weapons and Firearms - Display and Use
110.175	Nudity Prohibited
110.180	Violation of Rule

AUTHORITY: Implementing and authorized by Section 8 of "AN ACT in relation to State forests, operation of forest tree nurseries, and providing penalties in connection therewith", (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5911); and by Sections 1, 4, and 6 and of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks and nature preserves", approved June 26, 1925, as amended (Ill. Rev. Stat. 1989, ch. 105, pars. 465, 465a, 466, 468, 468b, and 468k); and by Sections 63a, 6311, 63a15, 63a18, and 63a28 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 63a, 63a11, 63a15, 63a18, and 63a28).

SOURCE: Adopted at 4 Ill. Reg. 11, p. 59, effective March 4, 1980; emergency amendment at 5 Ill. Reg. 8933, effective August 25, 1981 for a maximum of 150 days; codified at 5 Ill. Reg. 10621, amended

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at 6 Ill. Reg. 7401, effective June 11, 1982; amended at 8 Ill. Reg. 9967, effective June 19, 1984; amended at 10 Ill. Reg. 9797, effective May 21, 1986; amended at 10 Ill. Reg. 13256, effective July 25, 1986; amended at 13 Ill. Reg. 3785, effective March 13, 1989; amended at 15 Ill. Reg. 14423, effective October 1, 1991; emergency amendments at 16 Ill. Reg. ⁷⁹³⁴, effective May 11, 1992 for a maximum of 150 days.

Section 110.4 Fees and Charges
EMERGENCY

The following fees will be charged for use or reservation of designated facilities effective May 11, 1992, as follows, except that Illinois residents who are veterans and disabled or a former prisoner of war (according to Ill. Rev. Stat. 1991, ch. 127.1/2, par. 70, Sec. 5) shall be exempt from subsections (a) and (b) of this Section:

- a) All persons entering a designated swim beach area will pay a \$1.00 fee. Illinois Beach State Park beaches are not designated swim beach fee areas.
- b) All persons entering a designated special event area will pay a \$1.00 fee.
- c) Failure to comply with the provisions of this Part is punishable as a Class B misdemeanor.

(Source: Emergency amendments at 16 Ill. Reg. ⁷⁹³⁴, effective May 11, 1992 for a maximum of 150 days)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 6, 1992 through May 12, 1992, and have been scheduled for review by the Committee at its June 16, 1992 meeting. Other items not contained in this published list may also be considered by the Committee at its June meeting. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Suite 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
6/19/91	Illinois Commerce Commission, Procedures for Gas, Electric, Water and Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices and Discontinuance of Service (G.O. #172) (83 Ill Adm Code 280)	7/5/91 15 Ill Reg 9801	6/16/92
6/18/92	Department of Mines and Minerals, Surface Installation Health and Safety (62 Ill Adm Code 220)	3/6/92 16 Ill Reg 3316	6/16/92
6/22/92	Department of Public Aid, Aid to Families With Dependent Children (89 Ill Adm Code 112)	11/15/91 15 Ill Reg 16596	6/16/92
6/22/92	Department of Public Aid, Medical Assistance Programs (89 Ill Adm Code 120)	11/15/91 15 Ill Reg 16625	6/16/92
6/22/92	Department of Public Aid, Special Eligibility Groups (89 Ill Adm Code 118)	12/2/91 15 Ill Reg 17040	6/16/92
6/22/92	Department of Public Aid, Assistance Standards (89 Ill Adm Code 111)	11/22/91 15 Ill Reg 16851	6/16/92
6/22/92	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	1/24/92 16 Ill Reg 1492	6/16/92
6/22/92	Department of Conservation, Falconry and the Captive Propagation of Raptors (17 Ill Adm Code 1590)	3/20/92 16 Ill Reg 4132	6/16/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED
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<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
6/22/92	Department of Conservation, Urban and Community Forestry Grant Program (17 Ill Adm Code 1538)	3/20/92 16 Ill Reg 4148	6/16/92
6/22/92	Department of Corrections, Discipline and Grievances (20 Ill Adm Code 504)	3/13/92 16 Ill Reg 3715	6/16/92
6/22/92	Department of Corrections, Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 475)	3/13/92 16 Ill Reg 3707	6/16/92
6/22/92	Department of Public Aid, Aid to Families With Dependent Children (89 Ill Adm Code 112)	11/15/91 15 Ill Reg 16596	6/16/92
6/22/92	Department of Mines and Minerals, The Illinois Explosives Act (62 Ill Adm Code 200)	3/6/92 16 Ill Reg 3267	6/16/92
6/22/92	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	2/28/92 16 Ill Reg 3045	6/16/92
6/22/92	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	3/6/92 16 Ill Reg 3409	6/16/92
6/22/92	Department of Agriculture, Hatcheries, Poultry Flocks, and Produce Thereof (8 Ill Adm Code 55)	3/13/92 16 Ill Reg 3646	6/16/92
6/22/92	Department of Agriculture, Diseased Animals (8 Ill Adm Code 85)	3/13/92 16 Ill Reg 3635	6/16/92
6/22/92	Capital Development Board, Americans With Disabilities Act Grievance Procedure (71 Ill Adm Code 110)	3/13/92 16 Ill Reg 3689	6/16/92
6/24/92	Commissioner of Savings and Residential Finance, Residential Mortgage License Act of 1987 (38 Ill Adm Code 450)	2/21/92 16 Ill Reg 2763	6/16/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED
(page 3)

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
6/24/92	Department of Nuclear Safety, Status Signals for Nuclear Power Reactors (32 Ill Adm Code 504)	3/20/92 16 Ill Reg 4163	6/16/92
6/25/92	Department of Conservation, Commercial Fishing in Lake Michigan (17 Ill Adm Code 850)	3/27/92 16 Ill Reg 4616	6/16/92
6/25/92	Department of Agriculture, Illinois Pseudorabies Control Act (8 Ill Adm Code 115)	3/13/92 16 Ill Reg 3661	6/16/92
6/25/92	Department of Agriculture, Swine Disease Control and Eradication Act (8 Ill Adm Code 105)	3/13/92 16 Ill Reg 3680	6/16/92
6/25/92	Department of Agriculture, Animal Diagnostic Laboratory Act (8 Ill Adm Code 110)	3/13/92 16 Ill Reg 3624	6/16/92

they make to our communities, state, and nation; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1-7, 1992, as ELKS YOUTH WEEK in Illinois. Issued by the Governor April 29, 1992. Filed with the Secretary of State May 7, 1992.

92-229
SOIL AND WATER STEWARDSHIP WEEK

Whereas, our well-being depends on the production of ample food, fiber, and other products of soil; and Whereas, the quality and quantity of these products depend on the conservation, wise use, and proper management of soil and water resources; and Whereas, we must instill sound conservation practices to protect our water from pollution; and Whereas, conservation districts provide a practical organization that allows landowners to take the initiative to conserve and make proper use of these resources; and Whereas, the conservation movement is carrying forward a program of soil and water conservation in cooperation with numerous agencies and countless individuals; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 26-May 3, 1992, as SOIL AND WATER STEWARDSHIP WEEK in Illinois. Issued by the Governor April 30, 1992. Filed with the Secretary of State May 7, 1992.

92-230
CLEAN AIR WEEK

Whereas, levels of air pollution in many areas across our nation have become a health threat; and Whereas, the American Lung Association of Illinois considers clean air to be a top health priority; and Whereas, for 20 years, the American Lung Association has sponsored Clean Air Week to heighten public awareness of the health hazards inherent in air pollution; and Whereas, the American Lung Association urges everyone to take personal responsibility in striving for quality, clean air; and Whereas, our state constitution provides each person "with the right to a healthful environment" and mandates "each person to provide and maintain a healthful environment for the benefit of this and future generations"; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 3-9, 1992, as CLEAN AIR WEEK in Illinois and urge citizens to take part in efforts to improve and protect our air quality. Issued by the Governor May 1, 1992. Filed with the Secretary of State May 7, 1992.

ILLINOIS REGISTER 7941
92-226
HOME EDUCATION WEEK

Whereas, the State of Illinois is committed to excellence in education; and Whereas, the State of Illinois recognizes the importance of family support in educational programs; and Whereas, home education was proven successful in the lives of George Washington, Thomas Edison, Helen Keller, Agatha Christie, Franklin Roosevelt, and others and may be administered in Illinois under statutory requirements of the school code; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 3-9, 1992, as HOME EDUCATION WEEK in Illinois. Issued by the Governor April 27, 1992. Filed with the Secretary of State May 7, 1992.

92-227
ORTHO-OLYMPICS DAY

Whereas, sports play an important part in the lives of contemporary Americans, providing recreation, challenge, excitement, and satisfaction; and Whereas, 1992 marks the 13th anniversary of Chicago Public Schools' Ortho-Olympics; and Whereas, participating in sports is especially meaningful to the many physically disabled students who will be competing in the Ortho-Olympics June 5; and Whereas, this event will give participants the thrill of competition, the joy of meeting other athletes, and the satisfaction that comes from doing the very best they can; and Whereas, additionally, this event eloquently demonstrates that a disability should not pose an obstacle to a full and active life; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 5, 1992, as ORTHO-OLYMPICS DAY in Illinois. Issued by the Governor April 27, 1992. Filed with the Secretary of State May 7, 1992.

92-228
ELKS YOUTH WEEK

Whereas, our young people are our nation's greatest resource; and Whereas, our youth need our guidance, inspiration, and encouragement so they may develop the qualities they will need to become our leaders in the future; and Whereas, we should share our hopes and aspirations with our youth, as well as demonstrating a sincere willingness to help prepare them for the responsibilities they will face; and Whereas, the Benevolent and Protective Order of Elks has designated May 1-7, 1992, as Youth Week to give special recognition to our nation's young people and the contributions

92-231
EXCEPTIONAL CHILDREN'S WEEK

Whereas, the 33rd annual Exceptional Children's Week celebration will be held May 3-9, 1992, in Chicago; and
Whereas, the purpose of the observance is to make the public fully aware of the achievements of exceptional students, the students' needs for extraordinary services, and the role individuals can play in aiding the disabled; and
Whereas, during the celebration, artwork by Chicago's exceptional students will be on display, and exceptional children will be providing theatre performances of drama, dance, and music;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 3-9, 1992, as EXCEPTIONAL CHILDREN'S WEEK in Illinois and urge citizens to take cognizance of the special events arranged for this time.
Issued by the Governor May 1, 1992.
Filed with the Secretary of State May 7, 1992.

92-232
CHARLESTON AREA SENIOR CENTER DAY

Whereas, the month of May is traditionally a time to pay tribute to the indomitable spirit and strength of older Americans and to focus public attention on their needs, concerns, and accomplishments; and
Whereas, the Charleston Area Senior Center will celebrate its 14th anniversary Tuesday, May 12, 1992; and
Whereas, the Charleston Area Senior Center is committed to improving the quality of life for residents of all ages in the Charleston area and providing educational and recreational programs for older adults; and
Whereas, the citizens of Charleston should respect and value the wisdom, strength, experience, and unlimited potential of the fastest growing segment of our nation's population;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 12, 1992, as CHARLESTON AREA SENIOR CENTER DAY in Illinois, I urge all Charleston area residents to join me in this special recognition of the Charleston Area Senior Center, its participants, staff, and volunteers.
Issued by the Governor May 4, 1992.
Filed with the Secretary of State May 7, 1992.

92-233
DR. J. NEIL ADMIRE DAY

Whereas, on August 1, 1983, Dr. J. Neil Admire was appointed president of Lewis and Clark Community College in Godfrey; and
Whereas, Dr. Admire's nine-year tenure as president brought prominence, stature, and national acclaim to Lewis and Clark Community College; and

Whereas, he was a co-founder of the grassroots planning process "RiverBend in the '90s" for 10 communities and the college; and
Whereas, he has been instrumental in increasing the college's enrollment each year for the past five years; and
Whereas, Dr. Admire has worked closely with members of the Illinois General Assembly to improve educational opportunities for district residents; and
Whereas, Dr. Admire is resigning as President of Lewis and Clark Community College; and
Whereas, on May 7, a celebration will be held to honor Dr. Admire's dedication and contributions to the college;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 7, 1992, as DR. J. NEIL ADMIRE DAY in Illinois, in recognition of his accomplishments.
Issued by the Governor May 4, 1992.
Filed with the Secretary of State May 7, 1992.

92-234
EMERGENCY MEDICAL SERVICES WEEK

Whereas, in Illinois, more than 25,000 people are licensed as emergency medical technicians (EMTs) and paramedics; and
Whereas, these men and women administer life-saving techniques to our citizens; and
Whereas, many emergency medical technicians and paramedics volunteer their services in addition to maintaining full-time employment; and
Whereas, Illinois established the standard for emergency medical service and has benefited by more than two decades of emergency medical excellence consistently provided by EMT-ambulance, EMT-intermediate and EMT-paramedic personnel; field RNs; trauma nurse specialists; emergency nurses; and emergency physicians;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 10-16, 1992, as EMERGENCY MEDICAL SERVICES WEEK in Illinois and commend the dedication to duty shown by all individuals involved in emergency medical services.
Issued by the Governor May 4, 1992.
Filed with the Secretary of State May 7, 1992.

92-235
ILLINOIS SMALL BUSINESS WEEK

Whereas, a strong and stable economy is largely dependent on the determination and dedication of the small business community; and
Whereas, Illinois has more than 400,000 established small businesses, which produce the majority of the state's jobs; and
Whereas, Illinois has recognized the importance of its small businesses by making a strong and targeted commitment to provide assistance through programs administered through the departments

of Commerce and Community Affairs' Business Development Bureau, Transportation's Small Business Enterprises Division, Central Management Service's Minority and Female Business Enterprise Division, and Energy and Natural Resources, in cooperation with federal agencies such as the U.S. Small Business Administration, the U.S. Department of Defense, the U.S. Department of Transportation, the U.S. Department of Commerce, and many others; and

Whereas, women- and minority-owned businesses are a significant economic resource and a vital component of the Illinois economy; and

Whereas, Illinois is proud of the partnership it has developed with its small business community;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 10-16, 1992, as ILLINOIS SMALL BUSINESS WEEK in Illinois, honoring the thousands of ventures throughout our great state that make up the Illinois Small Business Community.

Issued by the Governor May 4, 1992.

Filed with the Secretary of State May 7, 1992.

92-236

MATTOON AREA SENIOR CENTER DAY

Whereas, the month of May is traditionally a time to pay tribute to the indomitable spirit and strength of older Americans and to focus public attention on their needs, concerns, and accomplishments; and

Whereas, the Mattoon Area Senior Center will celebrate its 12th anniversary Monday, May 18, 1992; and

Whereas, the Mattoon Area Senior Center is committed to improving the quality of life for residents of all ages in the Mattoon area and providing educational and recreational programs for older adults; and

Whereas, the citizens of Mattoon should respect and value the wisdom, strength, experience, and unlimited potential of the fastest growing segment of our nation's population;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 18, 1992, as MATTOON AREA SENIOR CENTER DAY in Illinois. I urge all Mattoon area residents to join me in this special recognition of the Mattoon Area Senior Center, its participants, staff, and volunteers.

Issued by the Governor May 4, 1992.

Filed with the Secretary of State May 7, 1992.

92-237

RETIRED TEACHERS WEEK

Whereas, there are more than 58,000 Illinois retired educators who have dedicated many years of their lives to public education; and

Whereas, these retired teachers have tirelessly and selflessly taken the noble trust of educating and training our

children; and

Whereas, in retirement these educators continue to be a major source of insight and direction to our state and nation; and

Whereas, the valuable knowledge and experience retired teachers have assembled over a lifetime continue to be transmitted through volunteer service; and

Whereas, it is fitting that a day be set aside for citizens to express their appreciation for the outstanding service provided by retired educators of Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 24-30, 1992, as RETIRED TEACHERS WEEK in Illinois in appreciation of their years of dedicated effort.

Issued by the Governor May 4, 1992.

Filed with the Secretary of State May 7, 1992.

92-238

RICHARD A. STEIN DAY

Whereas, Richard A. Stein has devoted more than 30 years to a successful career in real estate; and

Whereas, in 1971, he founded Stein & Company, where he continues to serve as chairman and chief executive officer; and

Whereas, in 1989, Richard received the Real Estate Entrepreneur of the Year Award from Arthur Young and "Inc. Magazine"; and

Whereas, in 1990, Stein & Company was one of nine firms nationwide to earn an Exemplary Voluntary Efforts Award, and in 1991, it received a Special Recognition Award from the National Association of Minority Contractors; and

Whereas, Richard has earned numerous awards for his strong support of economic development for minorities and women, including the Corporate Leadership Award from the Hispanic American Construction Industry Association and the title of Developer of the Year by Black Contractors United; and

Whereas, Richard is involved in a number of civic and charitable activities. He serves on the board of governors for the Chicago Lighthouse for the Blind, the board of directors for the Information Technology Resource Center, and the Art Institute of Chicago's Advisory Committee on Buildings and Grounds; and

Whereas, on May 9, Richard will receive the Man of the Year Award from the Coalition for United Community Action--ORTC, Inc. at the Organization's 20th Annual Unity Testimonial Awards Banquet;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 9, 1992, as RICHARD A. STEIN DAY in Illinois.

Issued by the Governor May 4, 1992.

Filed with the Secretary of State May 7, 1992.

92-239

TELEPHONE OPERATORS' WEEK

Whereas, telephone operators are vital to the functions of

every business and provide an important service to people everywhere; and

Whereas, this is particularly true in hospitals, where telephone operators are responsible for public address systems, radio paging systems, and physicians' registers, in addition to running a switchboard; and

Whereas, telephone operators are at the core of the communications network, serving physicians, emergency services and hospital personnel, patients, and visitors; and

Whereas, the third week of May has been designated as a time to honor all telephone operators. In conjunction with the observance, the Illinois Hospital Communicators Association will be holding a special luncheon to honor hospital telephone operators May 15, 1992;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 11-15, 1992, as TELEPHONE OPERATORS' WEEK in Illinois and encourage everyone to honor their local telephone operators.

Issued by the Governor May 4, 1992.

Filed with the Secretary of State May 7, 1992.

92-240

VERNON PARK CHURCH OF GOD DAYS

Whereas, the Vernon Park Church of God has been serving Chicago area communities for 37 years; and

Whereas, pastors Claude and Addie Wyatt have served as leaders of the church since its inception; and

Whereas, the Vernon Park Church of God is celebrating its 37th anniversary May 15-17, 1992, with the theme "Reflect..Redeem..Renew";

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 15-17, 1992, as VERNON PARK CHURCH OF GOD DAYS in Illinois and congratulate the church on its 37th anniversary.

Issued by the Governor May 4, 1992.

Filed with the Secretary of State May 7, 1992.

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ACTION CODES		JCAR - Joint Committee on Administrative Rules
A - Adopted Rule	P - Proposed Rule	
AR - Adopted Repealer	PP - Prohibited Filing Order by JCAR	
C - Notice of Corrections	PR - Peremptory or Court Ordered Rules	
CC - Codification Changes	PR - Proposed Repealer	
E - Emergency Rule	R - Refusal to meet JCAR Objection	
ER - Emergency Repealer	RC - Statement of Recommendation	
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR	
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

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8 Ill. Adm. Code 30

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92-097	Helen Garrett Day	4565
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92-114	Grammy In The Schools Day	5095
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92-116	Medical Laboratory Week	5096
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92-140	Warsaw Ghetto Uprising Day of Memorial Day	6124
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92-187	Project Aces Day	7075
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92-198	St. Stephan African Methodist Episcopal Church Day	7533
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92-200	Crime Victim Rights Week	7534
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92-203	Drinking Water Week	7536
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92-207	Boy Scout Troup 3 Day	7538
92-208	Day of Prayer	7538
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92-210	Earthquake Preparedness Week	7539
92-211	Keep America Beautiful Month	7539
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92-216	Day of Remembrance Of The Victims Of The Holocaust	7743
92-217	Medical Assistants Week	7743
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92-219	Foster Parent Appreciation Month	7745
92-220	Operation Lifesaver Awareness Day	7745
92-221	Quality Improvement In Management Week	7746
92-222	RP Awareness Day	7746
92-223	Tuberous Sclerosis Month	7747
92-224	U.S. Railroad Retirement Board Congratulated	7747
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92-231	Exceptional Children's Week	7943
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92-234	Emergency Medical Services Week	7944
92-235	Illinois Small Business Week	7945
92-236	Mattoon Area Senior Center Day	7945
92-237	Retired Teachers Week	7946
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92-239	Telephone Operators' Week	7946
92-240	Vernon Park Church of God Days	7947

The Sections Affected Index lists, by Title, each Section of a Part on which rulemaking activity has occurred in this volume (calendar year) of the Register. The columns indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash (e.g. 11 Ill. Adm. Code 436.05 was proposed last year and adopted this year. The action entry reads: (P-15655/91; A-4520). The codes are listed below.

TYPE OF RULEMAKING

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = recodified
= renumbered

ACTION CODES

A = Adopted rule
C = Correction
CC = Codification Changes
E = Emergency rule
F = Failure to Remedy
M = Modification
O = JCAR Objection
P = Proposed rule
PF = Prohibited filing
PP = Peremptory rule
R = Refusal to Modify
S = Suspend rule
W = Withdrawal of

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TITLE 1			TITLE 4	
245.100	n	(P-2314)	100.10	n
245.110	n	(P-2314)	100.20	n
245.120	n	(P-2314)	100.30	n
245.130	n	(P-2314)	100.40	n
245.104	n	(P-2314)	100.50	n
245.Ex.A	n	(P-2314)	100.60	n
245.Ex.A	n	(P-2314)	100.70	n
			125.10	n
			125.20	n
			125.30	n
			125.40	n
			125.50	n
			125.60	n
			125.70	n
			125.80	n
			125.Ap.A	n
			225.10	n
			225.20	n
			225.30	n
			225.40	n
			225.50	n
			225.60	n
			225.70	n
			275.10	n
			275.20	n
			275.30	n
			275.40	n
			275.50	n
			275.60	n
			275.70	n
			300.10	n
			300.20	n
			300.30	n
			300.40	n
			300.50	n
			300.60	n
			300.70	n
			350.110	n
			350.120	n
			350.130	n
			350.140	n
			350.150	n
			350.160	n
			350.170	n
			350.180	n
			375.10	n
			375.20	n
			375.30	n
			375.40	n
			375.50	n

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TITLE 4 (CONT'D)

TITLE 4 (CONT'D)			TITLE 8		
375.60	n	(P-4125)	650.10	n	(P-3253)
375.70	n	(P-4125)	650.20	n	(P-3253)
400.10	n	(P-5133)	650.30	n	(P-3253)
400.20	n	(P-5133)	650.40	n	(P-3253)
400.30	n	(P-5133)	650.50	n	(P-3253)
400.40	n	(P-5133)	650.60	n	(P-3253)
400.50	n	(P-5133)	650.70	n	(P-3253)
400.60	n	(P-5133)			
400.70	n	(P-5133)			
450.10	n	(P-2292)	5.90	r	(P-3231)
450.20	n	(P-2292)	30.150	am	(P-3618)
450.30	n	(P-2292)	40.5	am	(P-3673)
450.40	n	(P-2292)	40.60	am	(P-3673)
450.50	n	(P-2292)	40.100	am	(P-3673)
450.60	n	(P-2292)	40.170	am	(P-3673)
450.70	n	(P-2292)	55.10	am	(P-3646)
450.80	n	(P-2292)	55.40	am	(P-3646)
450.90	n	(P-2292)	55.45	am	(P-3646)
475.10	n	(P-3707)	55.50	am	(P-3646)
475.15	n	(P-3707)	55.90	am	(P-3646)
475.17	n	(P-3707)	55.100	am	(P-3646)
475.20	n	(P-3707)	85.5	am	(P-3635)
475.30	n	(P-3707)	85.10	am	(P-3635)
475.40	n	(P-3707)	85.15	am	(P-3635)
475.50	n	(P-2721)	85.75	am	(P-3635)
500.1	n	(P-2721)	85.80	am	(P-3635)
500.2	n	(P-2721)	85.100	am	(P-3635)
500.3	n	(P-2721)	85.115	am	(P-3635)
500.4	n	(P-2721)	85.120	n	(P-3635)
500.5	n	(P-2721)	90.5	n	(P-3653)
500.6	n	(P-2721)	90.110	am	(P-3653)
500.7	n	(P-5097)	105.5	am	(P-3680)
550.10	n	(P-5097)	105.10	am	(P-3680)
550.20	n	(P-5097)	105.30	am	(P-3680)
550.30	n	(P-5097)	105.90	n	(P-3680)
550.40	n	(P-5097)	110.50	am	(P-3624)
550.50	n	(P-5097)	110.80	am	(P-3624)
550.60	n	(P-5097)	110.90	am	(P-3624)
550.70	n	(P-7083)	110.110	am	(P-3624)
575.10	n	(P-7083)	110.120	am	(P-3624)
575.20	n	(P-7083)	115.10	am	(P-3661)
575.30	n	(P-7083)	115.20	am	(P-3661)
575.40	n	(P-7083)	115.30	am	(P-3661)
575.50	n	(P-7083)	115.50	am	(P-3661)
575.60	n	(P-7083)	115.70	am	(P-3661)
600.10	n	(P-5569)	115.80	am	(P-3661)
600.20	n	(P-5569)	115.100	am	(P-3661)
600.30	n	(P-5569)	125.10	am	(P-1921)
600.40	n	(P-5569)	125.190	am	(P-1921)
600.50	n	(P-5569)	125.260	am	(PP-1899) (P-1921)
600.60	n	(P-5569)	125.270	am	(P-1921)
600.70	n	(P-5569)			

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TITLE 8 (CONT'D)

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125.290	am	(P-1921)	405.90	am	(P-2436)
125.295	n	(P-1921)	415.60	n	(P-1263; A-7486)
125.380	am	(PP-1899)	422.10	am	(P-6742)
125.390	am	(P-1921)	422.70	am	(P-6742)
235.10	n	(P-2969)	422.90	am	(P-6742)
235.20	n	(P-2969)	422.100	am	(P-6742)
			422.110	am	(P-6742)
			435.20	am	(P-6747)
			436.05	n	(P-15655/91; A-4520)
			436.10	r	(P-15655/91; A-4520)
			436.20	am	(P-15655/91; A-4520)
			436.30	r	(P-15655/91; A-4520)
			436.40	r	(P-15655/91; A-4520)
			436.50	r	(P-15655/91; A-4520)
			436.60	am	(P-15655/91; A-4520)
			436.70	am	(P-15655/91; A-4520)
			436.80	r	(P-15655/91; A-4520)
			436.90	r	(P-15655/91; A-4520)
			436.100	am	(P-15655/91; A-4520)
			436.110	am	(P-15655/91; A-4520)
			436.120	r	(P-15655/91; A-4520)
			436.130	am	(P-15655/91; A-4520)
			436.140	r	(P-15655/91; A-4520)
			440.40	am	(P-6755)
			440.50	am	(P-6755)
			440.60	am	(P-6755)
			440.120	am	(P-6755)
			440.160	n	(P-6755)
			450.10	n	(P-2292)
			502.30	am	(P-6751)
			509.10	am	(P-6955)
			509.20	am	(P-6955)
			509.30	am	(P-6955)
			509.40	am	(P-6955)
			509.50	am	(P-6955)
			509.60	am	(P-6955)
			509.70	am	(P-6955)
			509.75	am	(P-6955)
			509.80	am	(P-6955)
			509.90	am	(P-6955)
			509.95	n	(P-6955)
509.100	am	(P-6955)	509.100	am	(P-14209/91; A-6000)
509.110	am	(P-6955)	509.110	am	(P-5247)
509.130	r	(P-6955)	170.11	am	(P-5247)
509.140	am	(P-6955)	170.12	am	(P-5247)
509.150	am	(P-6955)	170.13	am	(P-5247)
509.160	am	(P-6955)	170.14	am	(P-5247)
509.170	am	(P-6955)	170.17	am	(P-5247)
509.175	r	(P-6955)	170.20	am	(P-5247)
509.190	am	(P-6955)	170.30	n	(P-5247)
509.195	r	(P-6955)	175.10	am	(P-7518/91; A-4058)
509.200	am	(P-6955)	520.900	am	(P-89)
509.210	am	(P-6955)	520.930	am	(P-89)
509.220	am	(P-6955)	520.1100	n	(P-89)
509.230	am	(P-6955)			
509.240	r	(P-6955)			
509.250	r	(P-6955)			
509.260	r	(P-6955)			
509.265	r	(P-6955)			
509.270	am	(P-6955)			
1305.120	r	(P-2439)			
1305.130	r	(P-2439)			
1305.140	am	(P-2439)			
1314.10	r	(P-2433)			
1318.180	n	(P-15388/91; A-7489)			
1318.190	n	(P-15388/91; A-7489)			
1318.190	r	(P-2444)			
1424.105	r	(P-2444)			
1424.100	r	(P-2444)			
1424.170	am	(P-2444)			
1424.250	am	(P-1266; A-7493)			
1705.10	n	(P-1779)			
1705.20	n	(P-1779)			
1705.30	n	(P-1779)			
1705.40	n	(P-1779)			
1705.50	n	(P-1779)			
1705.60	n	(P-1779)			
1705.70	n	(P-1779)			
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TITLE 14 (CONT'D)			570.40	am	(P-5443)
520.1110	n	(P-89)	590.10	am	(P-14157/91; A-570)
520.1120	n	(P-89)			(P-7189)
520.1130	n	(P-89)	590.20	am	(P-14157/91; A-570)
520.1140	n	(P-89)			(P-7189)
526.10	n	(P-6524)	590.25	am	(P-7189)
526.20	n	(P-6524)	590.26	n	(P-7189)
526.20	n	(P-6524)	590.30	am	(P-7189)
526.30	n	(P-6524)	590.50	am	(P-7189)
526.40	n	(P-6524)	590.60	am	(P-7189)
526.50	n	(P-6524)	590.60	am	(P-14157/91; A-570)
526.60	n	(P-6524)	650.10	am	(P-5501)
526.70	n	(P-6524)	650.20	am	(P-5501)
526.80	n	(P-6524)	650.21	am	(P-5501)
526.90	n	(P-6524)	650.22	am	(P-5501)
550.20	am	(P-7090)	650.23	am	(P-5501)
550.30	am	(P-7090)	650.40	am	(P-5501)
550.35	am	(P-10249/91; A-3464)	650.50	am	(P-5501)
550.40	am	(P-7090)	650.60	am	(P-5501)
550.50	am	(P-7090)	660.10	am	(P-5525)
550.60	am	(P-7090)	660.20	am	(P-5525)
			660.21	am	(P-5525)
			660.25	am	(P-5525)
			660.30	am	(P-5525)
			660.40	am	(P-5525)
			660.45	am	(P-5525)
			660.50	am	(P-5525)
			660.60	am	(P-5525)
			670.10	am	(P-5482)
			670.20	am	(P-5482)
			670.30	am	(P-5482)
			670.40	am	(P-5482)
			670.50	am	(P-5482)
			670.60	am	(P-5482)
			690.20	am	(P-5157)
			690.30	am	(P-5157)
			710.10	am	(P-5157)
			710.20	am	(P-14833/91; A-1843)
			710.21	am	(P-14833/91; A-1843)
			710.30	am	(P-14833/91; A-1843)
			710.50	am	(P-14833/91; A-1843)
			715.10	am	(P-5475)
			715.20	am	(P-5475)
			715.40	am	(P-5475)
			720.10	am	(P-5466)
			720.20	am	(P-5466)
			720.30	am	(P-5466)
			720.40	am	(P-5466)
			730.20	am	(P-5143)
			730.30	am	(P-5143)
			740.10	am	(P-5540)
				am	(P-5540)
TITLE 17					
110.4	n	(E-7934)			
115.10	am	(P-18045/91; A-4835)			
115.30	am	(P-18045/91; A-4835)			
115.40	am	(P-18045/91; A-4835)			
115.50	am	(P-18045/91; A-4835)			
130.30	am	(E-7925)			
130.70	am	(E-7925)			
130.120	am	(E-7925)			
130.130	am	(E-7925)			
150.10	am	(P-18055/91; A-4839)			
150.20	am	(P-18055/91; A-4839)			
150.30	am	(P-18055/91; A-4839)			
150.40	am	(P-18055/91; A-4839)			
220.60	am	(P-18055/91; A-4839)			
510.10	am	(P-5436)			
525.30	am	(P-15647/91; A-1826)			
530.10	am	(P-7161)			
530.20	am	(P-7161)			
530.70	am	(P-7161)			
530.80	am	(P-7161)			
530.90	am	(P-7161)			
530.100	am	(P-7161)			
530.115	n	(P-7161)			
530.120	am	(P-7161)			
550.20	am	(P-5454)			
550.30	am	(P-5454)			
570.20	am	(P-5443)			
570.30	am	(P-5443)			

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740.20	am	(P-5540)	1538.80
810.35	am	(P-17817/91; A-5267)	1590.50
810.37	am	(P-17817/91; A-5267)	1590.60
810.45	am	(P-17817/91; A-5267)	1590.70
		(P-6571) (E-6016)	1590.80
810.60	am	(P-17817/91; A-5267)	1590.90
810.70	am	(P-17817/91; A-5267)	1590.100
810.90	am	(P-17817/91; A-5267)	1590.110
830.60	am	(P-18327/91; A-5257)	1590.120
830.70	am	(P-18327/91; A-5257)	2030.15
830.90	am	(P-18327/91; A-5257)	2030.20
850.10	am	(P-4616)	2520.50
850.20	am	(P-4616)	3010.40
850.30	am	(P-4616)	3010.50
880.10	n	(P-13603/91; A-109)	3010.70
880.20	n	(P-13603/91; A-109)	3010.80
880.30	n	(P-13603/91; A-109)	3020.20
880.40	n	(P-13603/91; A-109)	3020.50
880.50	n	(P-13603/91; A-109)	3020.70
890.10	n	(P-17811/91; A-5262)	3020.80
890.20	n	(P-17811/91; A-5262)	3030.30
890.30	n	(P-17811/91; A-5262)	3030.50
890.40	n	(P-17811/91; A-5262)	3030.60
890.50	n	(P-17811/91; A-5262)	3035.40
950.20	am	(P-5429)	3035.70
950.40	am	(P-5429)	3035.80
960.30	am	(P-5433)	4170.100
970.10	r	(P-2727)	4170.110
970.20	r	(P-2727)	4170.120
970.30	r	(P-2727)	4170.130
970.40	r	(P-2727)	4170.200
970.50	r	(P-2727)	4170.250
970.60	r	(P-2727)	4170.300
1010.30	am	(P-13594/91; A-103)	4170.400
1530.30	am	(P-2972)	4170.500
1530.50	am	(P-2972)	4170.550
1530.60	am	(P-2972)	4170.600
1530.Ex.A	n	(P-2972)	4170.700
1530.Ex.B	n	(P-2972)	4170.800
1535.1	n	(P-2979)	
1535.5	am	(P-2979)	
1535.50	am	(P-2979)	
1538.5	n	(P-755; W-4555) (P-4148)	210.20
1538.10	n	(P-755; W-4555) (P-4148)	210.30
1538.20	n	(P-755; W-4555) (P-4148)	405.20
1538.30	n	(P-755; W-4555) (P-4148)	405.50
1538.40	n	(P-755; W-4555) (P-4148)	405.60
1538.40	n	(P-755; W-4555) (P-4148)	435.10
1538.50	n	(P-755; W-4555) (P-4148)	435.12
1538.60	n	(P-755; W-4555) (P-4148)	435.15
1538.70	n	(P-755; W-4555) (P-4148)	435.20
1538.80	n	(P-755; W-4555) (P-4148)	435.25
1538.90	n	(P-755; W-4555) (P-4148)	435.30
1539.00	n	(P-755; W-4555) (P-4148)	435.35
1539.10	n	(P-755; W-4555) (P-4148)	435.40
1539.20	n	(P-755; W-4555) (P-4148)	435.45
1539.30	n	(P-755; W-4555) (P-4148)	435.50
1539.40	n	(P-755; W-4555) (P-4148)	435.55
1539.50	n	(P-755; W-4555) (P-4148)	435.60
1539.60	n	(P-755; W-4555) (P-4148)	435.65
1539.70	n	(P-755; W-4555) (P-4148)	435.70
1539.80	n	(P-755; W-4555) (P-4148)	435.75
1539.90	n	(P-755; W-4555) (P-4148)	435.80
1540.00	n	(P-755; W-4555) (P-4148)	435.85
1540.10	n	(P-755; W-4555) (P-4148)	435.90
1540.20	n	(P-755; W-4555) (P-4148)	435.95
1540.30	n	(P-755; W-4555) (P-4148)	436.00
1540.40	n	(P-755; W-4555) (P-4148)	436.05
1540.50	n	(P-755; W-4555) (P-4148)	436.10
1540.60	n	(P-755; W-4555) (P-4148)	436.15
1540.70	n	(P-755; W-4555) (P-4148)	436.20
1540.80	n	(P-755; W-4555) (P-4148)	436.25
1540.90	n	(P-755; W-4555) (P-4148)	436.30
1541.00	n	(P-755; W-4555) (P-4148)	436.35
1541.10	n	(P-755; W-4555) (P-4148)	436.40
1541.20	n	(P-755; W-4555) (P-4148)	436.45
1541.30	n	(P-755; W-4555) (P-4148)	436.50
1541.40	n	(P-755; W-4555) (P-4148)	436.55
1541.50	n	(P-755; W-4555) (P-4148)	436.60
1541.60	n	(P-755; W-4555) (P-4148)	436.65
1541.70	n	(P-755; W-4555) (P-4148)	436.70
1541.80	n	(P-755; W-4555) (P-4148)	436.75
1541.90	n	(P-755; W-4555) (P-4148)	436.80
1542.00	n	(P-755; W-4555) (P-4148)	436.85
1542.10	n	(P-755; W-4555) (P-4148)	436.90
1542.20	n	(P-755; W-4555) (P-4148)	436.95
1542.30	n	(P-755; W-4555) (P-4148)	437.00
1542.40	n	(P-755; W-4555) (P-4148)	437.05
1542.50	n	(P-755; W-4555) (P-4148)	437.10
1542.60	n	(P-755; W-4555) (P-4148)	437.15
1542.70	n	(P-755; W-4555) (P-4148)	437.20
1542.80	n	(P-755; W-4555) (P-4148)	437.25
1542.90	n	(P-755; W-4555) (P-4148)	437.30
1543.00	n	(P-755; W-4555) (P-4148)	437.35
1543.10	n	(P-755; W-4555) (P-4148)	437.40
1543.20	n	(P-755; W-4555) (P-4148)	437.45
1543.30	n	(P-755; W-4555) (P-4148)	437.50
1543.40	n	(P-755; W-4555) (P-4148)	437.55
1543.50	n	(P-755; W-4555) (P-4148)	437.60
1543.60	n	(P-755; W-4555) (P-4148)	437.65
1543.70	n	(P-755; W-4555) (P-4148)	437.70
1543.80	n	(P-755; W-4555) (P-4148)	437.75
1543.90	n	(P-755; W-4555) (P-4148)	437.80
1544.00	n	(P-755; W-4555) (P-4148)	437.85
1544.10	n	(P-755; W-4555) (P-4148)	437.90
1544.20	n	(P-755; W-4555) (P-4148)	437.95
1544.30	n	(P-755; W-4555) (P-4148)	438.00
1544.40	n	(P-755; W-4555) (P-4148)	438.05
1544.50	n	(P-755; W-4555) (P-4148)	438.10
1544.60	n	(P-755; W-4555) (P-4148)	438.15
1544.70	n	(P-755; W-4555) (P-4148)	438.20
1544.80	n	(P-755; W-4555) (P-4148)	438.25
1544.90	n	(P-755; W-4555) (P-4148)	438.30
1545.00	n	(P-755; W-4555) (P-4148)	438.35
1545.10	n	(P-755; W-4555) (P-4148)	438.40
1545.20	n	(P-755; W-4555) (P-4148)	438.45
1545.30	n	(P-755; W-4555) (P-4148)	438.50
1545.40	n	(P-755; W-4555) (P-4148)	438.55
1545.50	n	(P-755; W-4555) (P-4148)	438.60
1545.60	n	(P-755; W-4555) (P-4148)	438.65
1545.70	n	(P-755; W-4555) (P-4148)	438.70
1545.80	n	(P-755; W-4555) (P-4148)	438.75
1545.90	n	(P-755; W-4555) (P-4148)	438.80
1546.00	n	(P-755; W-4555) (P-4148)	438.85
1546.10	n	(P-755; W-4555) (P-4148)	438.90
1546.20	n	(P-755; W-4555) (P-4148)	438.95
1546.30	n	(P-755; W-4555) (P-4148)	439.00
1546.40	n	(P-755; W-4555) (P-4148)	439.05
1546.50	n	(P-755; W-4555) (P-4148)	439.10
1546.60	n	(P-755; W-4555) (P-4148)	439.15
1546.70	n	(P-755; W-4555) (P-4148)	439.20
1546.80	n	(P-755; W-4555) (P-4148)	439.25
1546.90	n	(P-755; W-4555) (P-4148)	439.30
1547.00	n	(P-755; W-4555) (P-4148)	439.35
1547.10	n	(P-755; W-4555) (P-4148)	439.40
1547.20	n	(P-755; W-4555) (P-4148)	439.45
1547.30	n	(P-755; W-4555) (P-4148)	439.50
1547.40	n	(P-755; W-4555) (P-4148)	439.55
1547.50	n	(P-755; W-4555) (P-4148)	439.60
1547.60	n	(P-755; W-4555) (P-4148)	439.65
1547.70	n	(P-755; W-4555) (P-4148)	439.70
1547.80	n	(P-755; W-4555) (P-4148)	439.75
1547.90	n	(P-755; W-4555) (P-4148)	439.80
1548.00	n	(P-755; W-4555) (P-4148)	439.85
1548.10	n	(P-755; W-4555) (P-4148)	439.90
1548.20	n	(P-755; W-4555) (P-4148)	439.95
1548.30	n	(P-755; W-4555) (P-4148)	440.00
1548.40	n	(P-755; W-4555) (P-4148)	440.05
1548.50	n	(P-755; W-4555) (P-4148)	440.10
1548.60	n	(P-755; W-4555) (P-4148)	440.15
1548.70	n	(P-755; W-4555) (P-4148)	440.20
1548.80	n	(P-755; W-4555) (P-4148)	440.25
1548.90	n	(P-755; W-4555) (P-4148)	440.30
1549.00	n	(P-755; W-4555) (P-4148)	440.35
1549.10	n	(P-755; W-4555) (P-4148)	440.40
1549.20	n	(P-755; W-4555) (P-4148)	440.45
1549.30	n	(P-755; W-4555) (P-4148)	440.50
1549.40	n	(P-755; W-4555) (P-4148)	440.55
1549.50	n	(P-755; W-4555) (P-4148)	440.60
1549.60	n	(P-755; W-4555) (P-4148)	440.65
1549.70	n	(P-755; W-4555) (P-4148)	440.70
1549.80	n	(P-755; W-4555) (P-4148)	440.75
1549.90	n	(P-755; W-4555) (P-4148)	440.80
1550.00	n	(P-755; W-4555) (P-4148)	440.85
1550.10	n	(P-755; W-4555) (P-4148)	440.90
1550.20	n	(P-755; W-4555) (P-4148)	440.95
1550.30	n	(P-755; W-4555) (P-4148)	441.00
1550.40	n	(P-755; W-4555) (P-4148)	441.05
1550.50	n	(P-755; W-4555) (P-4148)	441.10
1550.60	n	(P-755; W-4555) (P-4148)	441.15
1550.70	n	(P-755; W-4555) (P-4148)	441.20
1550.80	n	(P-755; W-4555) (P-4148)	441.25
1550.90	n	(P-755; W-4555) (P-4148)	441.30
1551.00	n	(P-755; W-4555) (P-4148)	441.35
1551.10	n	(P-755; W-4555) (P-4148)	441.40
1551.20	n	(P-755; W-4555) (P-4148)	441.45
1551.30	n	(P-755; W-4555) (P-4148)	441.50
1551.40	n	(P-755; W-4555) (P-4148)	441.55
1551.50	n	(P-755; W-4555) (P-4148)	441.60
1551.60	n	(P-755; W-4555) (P-4148)	441.65
1551.70	n	(P-755; W-4555) (P-4148)	441.70
1551.80	n	(P-755; W-4555) (P-4148)	441.75
1551.90	n	(P-755; W-4555) (P-4148)	441.80
1552.00	n	(P-755; W-4555) (P-4148)	441.85
1552.10	n	(P-755; W-4555) (P-4148)	441.90
1552.20	n	(P-755; W-4555) (P-4148)	441.95
1552.30	n	(P-755; W-4555) (P-4148)	442.00
1552.40	n	(P-755; W-4555) (P-4148)	442.05
1552.50	n	(P-755; W-4555) (P-4148)	442.10
1552.60	n	(P-755; W-4555) (P-4148)	442.15
1552.70	n	(P-755; W-4555) (P-4148)	442.20
1552.80	n	(P-755; W-4555) (P-4148)	442.25
1552.90	n	(P-755; W-4555) (P-4148)	442.30
1553.00	n	(P-755; W-4555) (P-4148)	442.35
1553.10	n	(P-755; W-4555) (P-4148)	442.40
1553.20	n	(P-755; W-4555) (P-4148)	442.45
1553.30	n	(P-755; W-4555) (P-4148)	442.50
1553.40	n	(P-755; W-4555) (P-4148)	442.55
1553.50	n	(P-755; W-4555) (P-4148)	442.60
1553.60	n	(P-755; W-4555) (P-4148)	442.65
1553.70	n	(P-755; W-4555) (P-4148)	442.70
1553.80	n	(P-755; W-4555) (P-4148)	442.75
1553.90	n	(P-755; W-4555) (P-4148)	442.80
1554.00	n	(P-755; W-4555) (P-4148)	442.85
1554.10	n	(P-755; W-4555) (P-4148)	442.90
1554.20	n	(P-755; W-4555) (P-4148)	442.95
1554.30	n	(P-755; W-4555) (P-4148)	443.00
1554.40	n	(P-755; W-4555) (P-4148)	443.05
1554.50	n	(P-755; W-4555) (P-4148)	443.10
1554.60	n	(P-755; W-4555) (P-4148)	443.15
1554.70	n	(P-755; W-4555) (P-4148)	443.20
1554.80	n	(P-755; W-4555) (P-4148)	443.25
1554.90	n	(P-755; W-4555) (P-4148)	443.30
1555.00	n	(P-755; W-4555) (P-4148)	443.35
1555.10	n	(P-755; W-4555) (P-4148)	443.40
1555.20	n	(P-755; W-4555) (P-4148)	443.45
1555.30	n	(P-755; W-4555) (P-4148)	443.50
1555.40	n	(P-755; W-4555) (P-4148)	443.55
1555.50	n	(P-755; W-4555) (P-4148)	443.60
1555.60	n	(P-755; W-4555) (P-4148)	443.65
1555.70	n	(P-755; W-4555) (P-4148)	443.70
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504.810	am	(P-3715)
504.830	am	(P-3715)
504.905	am	(P-3715)
504.910	am	(P-3715)
504.920	am	(P-3715)
504.930	am	(P-3715)
525.110	am	(E-3583) (P-5166)
525.130	am	(P-5166)
525.140	am	(E-3583) (P-5166)
525.150	am	(P-5166)
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1205.20	n	(P-4803)
1205.30	n	(P-4803)
1205.40	n	(P-4803)
1205.50	n	(P-4803)
1235.10	n	(E-17785/91; O-1746)
1235.20	n	(P-17566/91; A-7041)
1235.30	n	(E-17785/91; O-1746)
1235.40	n	(P-17566/91; A-7041)
1235.50	n	(E-17785/91; O-1746)
1235.60	n	(P-17566/91; A-7041)
1235.70	n	(E-17785/91; O-1746)
1235.80	n	(P-17566/91; A-7041)
1235.90	n	(E-17785/91; O-1746)
1235.100	n	(P-17566/91; A-7041)
1235.110	n	(E-17785/91; O-1746)
1235.120	n	(P-17566/91; A-7041)
1235.130	n	(E-17785/91; O-1746)
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1285.20	n	(P-3840)
1285.30	n	(P-3840)
1285.40	n	(P-3840)
1285.50	n	(P-3840)
1285.60	n	(P-3840)
1285.70	n	(P-3840)
1285.80	n	(P-3840)
1285.90	n	(P-3840)
1285.100	n	(P-3840)
1285.110	n	(P-3840)
1285.120	n	(P-3840)
1285.130	n	(P-3840)
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1285.160	n	(P-3840)
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1285.220	n	(P-3840)
1285.230	n	(P-3840)
1285.240	n	(P-3840)
1285.250	n	(P-3840)
1285.260	n	(P-3840)
1285.270	n	(P-3840)
1285.280	n	(P-3840)
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1285.300	n	(P-3840)
1285.310	n	(P-3840)
1285.320	n	(P-3840)
1285.330	n	(P-3840)
1285.340	n	(P-3840)
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1285.360	n	(P-3840)
1285.370	n	(P-3840)
1285.380	n	(P-3840)
1285.390	n	(P-3840)
1285.400	n	(P-3840)
1285.410	n	(P-3840)
1285.420	n	(P-3840)
1285.430	n	(P-3840)
1285.440	n	(P-3840)
1285.450	n	(P-3840)
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1285.2570	n	(P-3840)
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1285.2770	n	(P-3840)
1285.2780	n	(P-3840)
1285.2790	n	(P-3840)
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1285.3090	n	(P-3840)
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1285.3230	n	(P-3840)
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1285.3260	n	(P-3840)
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611.645	am	(P-5582)			
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615.445	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.724	n	(P-10303/91; O-17791/91; R-1702; A-1538)
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615.461	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.104	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.462	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.105	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.463	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.201	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.464	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.202	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.501	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.203	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.502	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.204	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.601	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.205	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.602	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.206	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.603	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.207	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.604	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.208	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.621	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.209	n	(P-9836/91; O-17793/91; R-1723; A-1592)

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616.211	(P-9836/91; O-17793/91; R-1723; A-1592)	616.501	(P-9836/91; O-17793/91; R-1723; A-1592)
616.301	(P-9836/91; O-17793/91; R-1723; A-1592)	616.502	(P-9836/91; O-17793/91; R-1723; A-1592)
616.302	(P-9836/91; O-17793/91; R-1723; A-1592)	616.601	(P-9836/91; O-17793/91; R-1723; A-1592)
616.303	(P-9836/91; O-17793/91; R-1723; A-1592)	616.602	(P-9836/91; O-17793/91; R-1723; A-1592)
616.304	(P-9836/91; O-17793/91; R-1723; A-1592)	616.603	(P-9836/91; O-17793/91; R-1723; A-1592)
616.305	(P-9836/91; O-17793/91; R-1723; A-1592)	616.604	(P-9836/91; O-17793/91; R-1723; A-1592)
616.306	(P-9836/91; O-17793/91; R-1723; A-1592)	616.605	(P-9836/91; O-17793/91; R-1723; A-1592)
616.307	(P-9836/91; O-17793/91; R-1723; A-1592)	616.621	(P-9836/91; O-17793/91; R-1723; A-1592)
616.401	(P-9836/91; O-17793/91; R-1723; A-1592)	616.622	(P-9836/91; O-17793/91; R-1723; A-1592)
616.402	(P-9836/91; O-17793/91; R-1723; A-1592)	616.623	(P-9836/91; O-17793/91; R-1723; A-1592)
616.421	(P-9836/91; O-17793/91; R-1723; A-1592)	616.624	(P-9836/91; O-17793/91; R-1723; A-1592)
616.422	(P-9836/91; O-17793/91; R-1723; A-1592)	616.625	(P-9836/91; O-17793/91; R-1723; A-1592)
616.423	(P-9836/91; O-17793/91; R-1723; A-1592)	616.701	(P-9836/91; O-17793/91; R-1723; A-1592)
616.424	(P-9836/91; O-17793/91; R-1723; A-1592)	616.702	(P-9836/91; O-17793/91; R-1723; A-1592)
616.425	(P-9836/91; O-17793/91; R-1723; A-1592)	616.703	(P-9836/91; O-17793/91; R-1723; A-1592)
616.441	(P-9836/91; O-17793/91; R-1723; A-1592)	616.704	(P-9836/91; O-17793/91; R-1723; A-1592)
616.442	(P-9836/91; O-17793/91; R-1723; A-1592)	616.705	(P-9836/91; O-17793/91; R-1723; A-1592)
616.443	(P-9836/91; O-17793/91; R-1723; A-1592)	616.721	(P-9836/91; O-17793/91; R-1723; A-1592)
616.444	(P-9836/91; O-17793/91; R-1723; A-1592)	616.722	(P-9836/91; O-17793/91; R-1723; A-1592)
616.445	(P-9836/91; O-17793/91; R-1723; A-1592)	616.723	(P-9836/91; O-17793/91; R-1723; A-1592)
616.446	(P-9836/91; O-17793/91; R-1723; A-1592)	616.724	(P-9836/91; O-17793/91; R-1723; A-1592)
616.447	(P-9836/91; O-17793/91; R-1723; A-1592)	616.725	(P-9836/91; O-17793/91; R-1723; A-1592)
616.462	(P-9836/91; O-17793/91; R-1723; A-1592)	617.101	(P-9836/91; O-17793/91; R-1723; A-1592)
616.463	(P-9836/91; O-17793/91; R-1723; A-1592)	617.102	(P-9836/91; O-17793/91; R-1723; A-1592)

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703.157	am	(P-1058)
703.208	n	(P-1058)
703.211	am	(P-1058)
703.232	n	(P-1058)
703.280	am	(P-1058)
703.283	am	(P-1058)
703.Ap.A	am	(P-1058)
720.110	am	(P-791)
720.111	am	(P-791)
721.102	am	(P-820)
721.103	am	(P-820)
721.104	am	(P-820)
721.106	am	(P-820)
721.120	am	(P-820)
721.131	am	(P-820) (P-15910/91; A-2600)
721.132	am	(P-820)
721.Ap.I	am	(P-9288/91; A-2155)
721.Tb.A	am	(P-9288/91; A-2155)
721.Tb.B	am	(P-9288/91; A-2155)
722.110	am	(P-1112)
722.134	am	(P-1112)
724.212	am	(P-1123)
724.440	am	(P-1123)
724.930	am	(P-1123)
724.935	am	(P-1123)
725.113	am	(P-875)
725.173	am	(P-875)
725.212	am	(P-875)
725.213	am	(P-875)
725.440	am	(P-875)
725.470	am	(P-875)
725.935	am	(P-875)
725.952	am	(P-875)
726.130	r	(P-1148)
726.131	r	(P-1148)
726.132	r	(P-1148)
726.133	r	(P-1148)
726.135	r	(P-1148)
726.140	am	(P-1148)
726.200	n	(P-1148)
726.201	n	(P-1148)
726.202	n	(P-1148)
726.203	n	(P-1148)
726.204	n	(P-1148)
726.205	n	(P-1148)
726.206	n	(P-1148)
726.207	n	(P-1148)
726.208	n	(P-1148)
726.209	n	(P-1148)
726.210	n	(P-1148)
726.211	n	(P-1148)
726.212	n	(P-1148)
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726.Ap.C	n	(P-1148)
726.Ap.D	n	(P-1148)
726.Ap.E	n	(P-1148)
726.Ap.F	n	(P-1148)
726.Ap.G	n	(P-1148)
726.Ap.H	n	(P-1148)
726.Ap.I	n	(P-1148)
726.Ap.J	n	(P-1148)
726.Ap.K	n	(P-1148)
726.Ap.L	n	(P-1148)
726.Tb.A	n	(P-1148)
728.107	am	(P-916)
728.109	am	(P-916)
728.110	n	(P-916)
728.111	n	(P-916)
728.112	n	(P-916)
728.113	n	(P-916)
728.133	am	(P-916)
728.135	am	(P-916)
728.140	am	(P-916)
728.142	am	(P-916)
728.144	am	(P-916)
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728.Ap.G	am	(P-916)
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731.111	r	(P-2330; A-7407)
731.112	am	(P-2330; A-7407)
731.113	am	(P-2330; A-7407)
731.114	r	(P-2330; A-7407)
731.120	r	(P-2330; A-7407)
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731.133	r	848.205	am
731.134	r	848.206	n
731.140	r	848.207	n
731.141	r	848.208	n
731.142	r	849.101	r
731.143	r	849.102	r
731.144	r	849.103	r
731.145	r	849.104	r
731.150	r	849.105	r
731.151	r	849.106	r
731.152	r	858.207	am
731.153	r	859.101	n
731.161	am	859.102	n
731.162	am	859.103	n
731.170	r	859.201	n
731.171	r	859.202	n
731.172	r	859.203	n
731.173	r	859.204	n
731.174	r	859.205	n
731.190	r	859.301	n
731.191	r	859.302	n
731.192	r	859.303	n
731.193	r	880.100	n
731.194	r	880.101	n
731.195	r	880.102	n
731.196	r	880.103	n
731.197	r	880.104	n
731.198	r	880.105	n
731.199	r	880.106	n
731.200	r	880.200	n
731.202	r	880.201	n
731.203	r	880.202	n
731.204	r	880.203	n
731.205	r	880.300	n
731.206	r	880.301	n
731.207	r	1420.101	n
731.208	r	1420.102	n
731.209	r		
731.210	r		
731.211	r		
731.Ap.A	am		
809.901	n		
809.902	r		
809.903	r		
809.904	r		
809.905	r		
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200.240	n		
200.245	n		
200.250	n		
200.270	n		
200.280	n		
200.290	n		
200.310	n		
200.320	n		
200.400	n		
200.402	n		
200.404	n		
200.406	n		
200.408	n		
200.410	n		
200.412	n		
200.414	n		
200.416	n		
200.418	n		
200.420	n		
200.422	n		
200.424	n		
200.426	n		
200.428	n		
200.430	n		
200.432	n		
200.434	n		
200.436	n		
200.438	n		
200.440	n		
200.442	n		
200.444	n		
200.446	n		
200.448	n		
200.450	n		
200.452	n		
307.10	n		
307.20	n		
354.10	n		
354.20	n		
400.130	am		
400.141	am		
400.142	am		
450.440	am		
450.1010	am		
450.1250	am		

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950.160	r (P-3695)	110.310	n (P-7141)
950.170	r (P-3695)	110.320	n (P-7141)
950.180	r (P-3695)	110.330	n (P-7141)
950.210	r (P-3695)	110.340	n (P-7141)
950.220	r (P-3695)	110.350	n (P-7141)
950.230	r (P-3695)	110.360	n (P-7141)
950.240	r (P-3695)	120.30	am (P-13993/91; A-3078)
950.250	r (P-3695)	120.55	am (P-13993/91; A-3078)
950.260	r (P-3695)	120.80	am (P-13993/91; A-3078)
950.270	r (P-3695)	120.90	am (P-13993/91; A-3078)
950.280	r (P-3695)	120.110	am (P-13993/91; A-3078)
950.290	r (P-3695)	120.115	am (P-13993/91; A-3078)
950.300	r (P-3695)	140.10	r (P-13241/91; A-2120)
5030.130	am (P-18013/91; A-4826)	140.20	r (P-13241/91; A-2120)
		140.30	r (P-13241/91; A-2120)
		140.40	r (P-13241/91; A-2120)
		140.50	r (P-13241/91; A-2120)
		140.60	r (P-13241/91; A-2120)
		310.101	am (P-13241/91; A-2120)
		310.102	am (P-13241/91; A-2120)
		310.103	am (P-13241/91; A-2120)
		310.106	am (P-13241/91; A-2120)
		310.107	am (P-13241/91; A-2120)
		310.109	am (P-13241/91; A-2120)
		310.110	am (P-13241/91; A-2120)
		310.111	am (P-13241/91; A-2120)
		310.113	am (P-13241/91; A-2120)
		310.114	am (P-13241/91; A-2120)
		310.201	am (P-13241/91; A-2120)
		310.202	am (P-13241/91; A-2120)
		310.203	am (P-13241/91; A-2120)
		310.204	am (P-13241/91; A-2120)
		310.205	am (P-13241/91; A-2120)
		310.206	am (P-13241/91; A-2120)
		310.301	am (P-13241/91; A-2120)
		310.302	am (P-13241/91; A-2120)
		310.303	am (P-13241/91; A-2120)
		310.304	am (P-13241/91; A-2120)
		310.305	am (P-13241/91; A-2120)
		310.306	am (P-13241/91; A-2120)
		310.307	am (P-13241/91; A-2120)
		310.309	am (P-13241/91; A-2120)
		310.401	am (P-13241/91; A-2120)
		310.402	am (P-13241/91; A-2120)
		310.403	am (P-13241/91; A-2120)
		310.404	am (P-13241/91; A-2120)
		310.405	am (P-13241/91; A-2120)
		310.602	am (P-13241/91; A-2120)
		310.603	am (P-13241/91; A-2120)
		310.604	am (P-13241/91; A-2120)

TITLE 47		TITLE 50	
100.10	am (P-14337/91; A-3940)	904.30	am (P-4159)
100.20	am (P-14337/91; A-3940)	932.20	am (P-7279)
100.30	am (P-14337/91; A-3940)	932.40	am (P-7279)
100.40	am (P-14337/91; A-3940)	932.60	am (P-7279)
100.50	am (P-14337/91; A-3940)	2008.10	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.85	am (P-14337/91; A-3940)	2008.20	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.103	am (P-14337/91; A-3940)	2008.30	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.105	am (P-14337/91; A-3940)	2008.40	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.106	am (P-14337/91; A-3940)	2008.50	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.110	am (P-14337/91; A-3940)	2008.60	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.111	am (P-14337/91; A-3940)	2008.61	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.113	am (P-14337/91; A-3940)	2008.70	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.115	am (P-14337/91; A-3940)	2008.71	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.120	am (P-14337/91; A-3940)	2008.72	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
100.Ap.A	am (P-14337/91; A-3940)	2008.73	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
II.A	n (P-14337/91; A-3940)	2008.74	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
II.B	n (P-14337/91; A-3940)	2008.75	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
II.C	n (P-14337/91; A-3940)		
II.D	n (P-14337/91; A-3940)		
II.E	n (P-14337/91; A-3940)		
II.F	n (P-14337/91; A-3940)		
100.Ap.D	am (P-14337/91; A-3940)		
100.Ap.E	r (P-14337/91; A-3940)		
100.Ap.F	r (P-14337/91; A-3940)		
110.210	n (P-7141)		
110.220	n (P-7141)		
110.230	n (P-7141)		
110.240	n (P-7141)		
110.250	n (P-7141)		
110.260	n (P-7141)		
110.270	n (P-7141)		
110.280	n (P-7141)		
110.290	n (P-7141)		

TITLE 47 (CONT'D)		TITLE 50	
310.701	am (P-1961)	2008.80	am (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
310.702	am (P-1961)	2008.81	r (P-14859/91; PF-1743; W-2956; A-2766)
310.703	am (P-1961)	2008.82	n (P-14859/91; PF-1743; W-2956; A-2766)
310.801	am (P-1961)	2008.83	am (P-14859/91; PF-1743; W-2956; A-2766)
310.802	am (P-1961)	2008.84	am (P-14859/91; PF-1743; W-2956; A-2766)
310.803	am (P-1961)	2008.85	am (P-14859/91; PF-1743; W-2956; A-2766)
310.804	am (P-1961)	2008.86	am (P-14859/91; PF-1743; W-2956; A-2766)
310.805	am (P-1961)	2008.87	am (P-14859/91; PF-1743; W-2956; A-2766)
310.806	am (P-1961)	2008.88	am (P-14859/91; PF-1743; W-2956; A-2766)
310.901	am (P-1961)	2008.89	am (P-14859/91; PF-1743; W-2956; A-2766)
310.902	am (P-1961)	2008.90	am (P-14859/91; PF-1743; W-2956; A-2766)
310.913	am (P-1961)	2008.91	am (P-14859/91; PF-1743; W-2956; A-2766)
350.213	n (P-5185) (E-5369)	2008.92	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.93	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.94	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.95	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.96	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.97	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.98	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.99	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.100	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.101	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.102	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.103	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.104	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.105	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.106	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.107	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.108	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.109	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.110	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.111	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.112	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.113	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.114	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.115	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.116	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.117	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.118	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.119	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.120	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.121	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.122	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.123	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.124	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.125	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.126	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.127	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.128	am (P-14859/91; PF-1743; W-2956; A-2766)
		2008.129	am (P-14859/91; PF-1743; W-2956; A-2766)

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5300.660	am	(P-10521/91; A-7838)	
5300.720	am	(P-10521/91; A-7838)	132.65 n (P-7) (E-211)
5300.730	am	(P-10521/91; A-7838)	132.70 n (P-7) (E-211)
5300.735	n	(P-10521/91; A-7838)	132.75 n (P-7) (E-211)
5300.745	n	(P-10521/91; A-7838)	132.80 n (P-7) (E-211)
5300.745	n	(P-10521/91; A-7838)	132.85 n (P-7) (E-211)
5300.750	am	(P-10521/91; A-7838)	132.90 n (P-7) (E-211)
5300.760	am	(P-10521/91; A-7838)	132.95 n (P-7) (E-211)
5300.765	n	(P-10521/91; A-7838)	132.100 n (P-7) (E-211)
5300.770	r	(P-10521/91; A-7838)	132.105 n (P-7) (E-211)
5300.782	r	(P-10521/91; A-7838)	132.110 n (P-7) (E-211)
5300.783	r	(P-10521/91; A-7838)	132.115 n (P-7) (E-211)
5300.784	r	(P-10521/91; A-7838)	132.120 n (P-7) (E-211)
5300.785	r	(P-10521/91; A-7838)	132.125 n (P-7) (E-211)
5300.786	r	(P-10521/91; A-7838)	132.130 n (P-7) (E-211)
5300.787	r	(P-10521/91; A-7838)	132.135 n (P-7) (E-211)
5300.825	am	(P-10521/91; A-7838)	132.140 n (P-7) (E-211)
5300.865	am	(P-10521/91; A-7838)	132.145 n (P-7) (E-211)
5300.920	am	(P-10521/91; A-7838)	132.150 n (P-7) (E-211)
5300.930	am	(P-10521/91; A-7838)	132.155 n (P-7) (E-211)
5300.940	am	(P-10521/91; A-7838)	132.160 n (P-7) (E-211)
5300.950	am	(P-10521/91; A-7838)	132.165 n (P-7) (E-211)
5300.960	am	(P-10521/91; A-7838)	132.170 n (P-7) (E-211)
5300.1145	n	(P-10521/91; A-7838)	132.Ap.A n (P-7) (E-211)
5300.1150	am	(P-10521/91; A-7838)	132.170 n (P-7) (E-211)
5300.1160	am	(P-10521/91; A-7838)	132.Ap.B n (P-7) (E-211)
5400.110	am	(P-1490) (E-1693)	
5400.210	am	(P-1490) (E-1693)	
5400.310	am	(P-1490) (E-1693)	
6000.50	am	(P-5399)	
6000.340	n	(P-7543) (E-7716)	
TITLE 59			
101.100	n	(P-14363/91; A-2137)	
		(E-14663/91)	
103.90	am	(E-2643)	
115.320	am	(E-2676)	
119.260	am	(E-2662)	
120.70	am	(E-2652)	
125.70	am	(E-2672)	
130.110	am	(E-2656)	
132.10	n	(P-7) (E-211)	
132.15	n	(P-7) (E-211)	
132.25	n	(P-7) (E-211)	
132.30	n	(P-7) (E-211)	
132.35	n	(P-7) (E-211)	
132.40	n	(P-7) (E-211)	
132.45	n	(P-7) (E-211)	
132.50	n	(P-7) (E-211)	
132.55	n	(P-7) (E-211)	
132.60	n	(P-7) (E-211)	
TITLE 62			
		.Tb.A	
		.Tb.B	
		.Tb.C	
135.30	am		
200.12	am		
200.201	am		
200.402	am		
200.500	am		
200.600	am		
200.603	am		
200.604	am		
200.806	am		
200.Ap.B	n		
220.190	am		
240.10	am		
240.500	n		
240.510	r		
240.510	n		
240.520	r		
240.520	n		
240.530	r		
240.540	n		
240.550	n		
240.610	am		

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240.630	am (P-3282)	240.1510 n (P-14365/91; P-14679/91; A-2576)
240.640	am (P-3282)	240.1520 n (P-14365/91; P-14679/91; A-2576)
240.710	am (P-3282)	240.1530 n (P-14365/91; P-14679/91; A-2576)
240.760	am (P-3282)	2501.37 n (P-2917) (E-2897)
240.780	am (P-3282)	
240.995	r (P-14365/91; P-14679/91; A-2576)	
TITLE 68		
240.1110	am (P-3282)	870.100 n (P-12094/91; A-3096)
240.1130	am (P-3282)	870.105 n (P-12094/91; A-3096)
240.1150	am (P-3282)	870.110 n (P-12094/91; A-3096)
240.1160	r (P-3282)	870.115 n (P-12094/91; A-3096)
240.1160	n (P-3282)	870.120 n (P-12094/91; A-3096)
240.1170	am (P-3282)	870.200 n (P-12094/91; A-3096)
240.1180	r (P-3282)	870.210 n (P-12094/91; A-3096)
240.1400	r (P-14365/91; P-14679/91; A-2576)	870.215 n (P-12094/91; A-3096)
240.1400	n (P-14365/91; P-14679/91; A-2576)	870.220 n (P-12094/91; A-3096)
240.1405	r (P-14365/91; P-14679/91; A-2576)	870.225 n (P-12094/91; A-3096)
240.1410	r (P-14365/91; P-14679/91; A-2576)	870.230 n (P-12094/91; A-3096)
240.1410	n (P-14365/91; P-14679/91; A-2576)	870.235 n (P-12094/91; A-3096)
240.1420	r (P-14365/91; P-14679/91; A-2576)	870.240 n (P-12094/91; A-3096)
240.1420	n (P-14365/91; P-14679/91; A-2576)	870.245 n (P-12094/91; A-3096)
240.1430	r (P-14365/91; P-14679/91; A-2576)	870.300 n (P-12094/91; A-3096)
240.1430	am (P-3282)	870.310 n (P-12094/91; A-3096)
240.1440	r (P-14365/91; P-14679/91; A-2576)	870.315 n (P-12094/91; A-3096)
240.1440	n (P-14365/91; P-14679/91; A-2576)	870.320 n (P-12094/91; A-3096)
240.1450	r (P-14365/91; P-14679/91; A-2576)	870.325 n (P-12094/91; A-3096)
240.1450	am (P-3282)	870.400 n (P-12094/91; A-3096)
240.1460	r (P-14365/91; P-14679/91; A-2576)	870.405 n (P-12094/91; A-3096)
240.1460	am (P-3282)	870.500 n (P-12094/91; A-3096)
240.1460	r (P-14365/91; P-14679/91; A-2576)	870.505 n (P-12094/91; A-3096)
240.1460	n (P-14365/91; P-14679/91; A-2576)	870.510 n (P-12094/91; A-3096)
240.1460	am (P-14365/91; P-14679/91; A-2576)	870.515 n (P-12094/91; A-3096)
240.1470	r (P-14365/91; P-14679/91; A-2576)	870.520 n (P-12094/91; A-3096)
240.1470	am (P-14365/91; P-14679/91; A-2576)	870.525 n (P-12094/91; A-3096)
240.1480	r (P-14365/91; P-14679/91; A-2576)	1130.10 n (P-2010)
240.1480	am (P-3282)	1130.20 n (P-2010)
240.1490	r (P-14365/91; P-14679/91; A-2576)	1130.30 n (P-2010)
240.1490	am (P-3282)	1130.40 n (P-2010)
240.1500	r (P-14365/91; P-14679/91; A-2576)	1130.50 n (P-2010)
240.1500	n (P-14365/91; P-14679/91; A-2576)	1130.60 n (P-2010)
240.1500	am (P-14365/91; P-14679/91; A-2576)	1130.70 n (P-2010)
240.1500	r (P-14365/91; P-14679/91; A-2576)	1150.20 am (P-2492/91; A-3143)
240.1500	am (P-14365/91; P-14679/91; A-2576)	1150.30 am (P-2492/91; A-3143)
240.1500	r (P-14365/91; P-14679/91; A-2576)	1150.40 am (P-2492/91; A-3143)
240.1500	n (P-14365/91; P-14679/91; A-2576)	1150.50 am (P-2492/91; A-3143)
240.1500	am (P-14365/91; P-14679/91; A-2576)	1150.65 am (P-2492/91; A-3143)
240.1500	am (P-14365/91; P-14679/91; A-2576)	1150.70 am (P-2492/91; A-3143)

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TITLE 68 (CONT'D)		TITLE 69		TITLE 70		TITLE 71		TITLE 72		TITLE 73		TITLE 74		TITLE 75		TITLE 76		TITLE 77		TITLE 78		TITLE 79		TITLE 80		TITLE 81		TITLE 82		TITLE 83		TITLE 84		TITLE 85		TITLE 86		TITLE 87		TITLE 88		TITLE 89		TITLE 90		TITLE 91		TITLE 92		TITLE 93		TITLE 94		TITLE 95		TITLE 96		TITLE 97		TITLE 98		TITLE 99		TITLE 100		TITLE 101		TITLE 102		TITLE 103		TITLE 104		TITLE 105		TITLE 106		TITLE 107		TITLE 108		TITLE 109		TITLE 110		TITLE 111		TITLE 112		TITLE 113		TITLE 114		TITLE 115		TITLE 116		TITLE 117		TITLE 118		TITLE 119		TITLE 120		TITLE 121		TITLE 122		TITLE 123		TITLE 124		TITLE 125		TITLE 126		TITLE 127		TITLE 128		TITLE 129		TITLE 130		TITLE 131		TITLE 132		TITLE 133		TITLE 134		TITLE 135		TITLE 136		TITLE 137		TITLE 138		TITLE 139		TITLE 140		TITLE 141		TITLE 142		TITLE 143		TITLE 144		TITLE 145		TITLE 146		TITLE 147		TITLE 148		TITLE 149		TITLE 150		TITLE 151		TITLE 152		TITLE 153		TITLE 154		TITLE 155		TITLE 156		TITLE 157		TITLE 158		TITLE 159		TITLE 160		TITLE 161		TITLE 162		TITLE 163		TITLE 164		TITLE 165		TITLE 166		TITLE 167		TITLE 168		TITLE 169		TITLE 170		TITLE 171		TITLE 172		TITLE 173		TITLE 174		TITLE 175		TITLE 176		TITLE 177		TITLE 178		TITLE 179		TITLE 180		TITLE 181		TITLE 182		TITLE 183		TITLE 184		TITLE 185		TITLE 186		TITLE 187		TITLE 188		TITLE 189		TITLE 190		TITLE 191		TITLE 192		TITLE 193		TITLE 194		TITLE 195		TITLE 196		TITLE 197		TITLE 198		TITLE 199		TITLE 200		TITLE 201		TITLE 202		TITLE 203		TITLE 204		TITLE 205		TITLE 206		TITLE 207		TITLE 208		TITLE 209		TITLE 210		TITLE 211		TITLE 212		TITLE 213		TITLE 214		TITLE 215		TITLE 216		TITLE 217		TITLE 218		TITLE 219		TITLE 220		TITLE 221		TITLE 222		TITLE 223		TITLE 224		TITLE 225		TITLE 226		TITLE 227		TITLE 228		TITLE 229		TITLE 230		TITLE 231		TITLE 232		TITLE 233		TITLE 234		TITLE 235		TITLE 236		TITLE 237		TITLE 238		TITLE 239		TITLE 240		TITLE 241		TITLE 242		TITLE 243		TITLE 244		TITLE 245		TITLE 246		TITLE 247		TITLE 248		TITLE 249		TITLE 250		TITLE 251		TITLE 252		TITLE 253		TITLE 254		TITLE 255		TITLE 256		TITLE 257		TITLE 258		TITLE 259		TITLE 260		TITLE 261		TITLE 262		TITLE 263		TITLE 264		TITLE 265		TITLE 266		TITLE 267		TITLE 268		TITLE 269		TITLE 270		TITLE 271		TITLE 272		TITLE 273		TITLE 274		TITLE 275		TITLE 276		TITLE 277		TITLE 278		TITLE 279		TITLE 280		TITLE 281		TITLE 282		TITLE 283		TITLE 284		TITLE 285		TITLE 286		TITLE 287		TITLE 288		TITLE 289		TITLE 290		TITLE 291		TITLE 292		TITLE 293		TITLE 294		TITLE 295		TITLE 296		TITLE 297		TITLE 298		TITLE 299		TITLE 300		TITLE 301		TITLE 302		TITLE 303		TITLE 304		TITLE 305		TITLE 306		TITLE 307		TITLE 308		TITLE 309		TITLE 310		TITLE 311		TITLE 312		TITLE 313		TITLE 314		TITLE 315		TITLE 316		TITLE 317		TITLE 318		TITLE 319		TITLE 320		TITLE 321		TITLE 322		TITLE 323		TITLE 324		TITLE 325		TITLE 326		TITLE 327		TITLE 328		TITLE 329		TITLE 330		TITLE 331		TITLE 332		TITLE 333		TITLE 334		TITLE 335		TITLE 336		TITLE 337		TITLE 338		TITLE 339		TITLE 340		TITLE 341		TITLE 342		TITLE 343		TITLE 344		TITLE 345		TITLE 346		TITLE 347		TITLE 348		TITLE 349		TITLE 350		TITLE 351		TITLE 352		TITLE 353		TITLE 354		TITLE 355		TITLE 356		TITLE 357		TITLE 358		TITLE 359		TITLE 360		TITLE 361		TITLE 362		TITLE 363		TITLE 364		TITLE 365		TITLE 366		TITLE 367		TITLE 368		TITLE 369		TITLE 370		TITLE 371		TITLE 372		TITLE 373		TITLE 374		TITLE 375		TITLE 376		TITLE 377		TITLE 378		TITLE 379		TITLE 380		TITLE 381		TITLE 382		TITLE 383		TITLE 384		TITLE 385		TITLE 386		TITLE 387		TITLE 388		TITLE 389		TITLE 390		TITLE 391		TITLE 392		TITLE 393		TITLE 394		TITLE 395		TITLE 396		TITLE 397		TITLE 398		TITLE 399		TITLE 400		TITLE 401		TITLE 402		TITLE 403		TITLE 404		TITLE 405		TITLE 406		TITLE 407		TITLE 408		TITLE 409		TITLE 410		TITLE 411		TITLE 412		TITLE 413		TITLE 414		TITLE 415		TITLE 416		TITLE 417		TITLE 418		TITLE 419		TITLE 420		TITLE 421		TITLE 422		TITLE 423		TITLE 424		TITLE 425		TITLE 426		TITLE 427		TITLE 428		TITLE 429		TITLE 430		TITLE 431		TITLE 432		TITLE 433		TITLE 434		TITLE 435		TITLE 436		TITLE 437		TITLE 438		TITLE 439		TITLE 440		TITLE 441		TITLE 442		TITLE 443		TITLE 444		TITLE 445		TITLE 446		TITLE 447		TITLE 448		TITLE 449		TITLE 450		TITLE 451		TITLE 452		TITLE 453		TITLE 454		TITLE 455		TITLE 456		TITLE 457		TITLE 458		TITLE 459		TITLE 460		TITLE 461		TITLE 462		TITLE 463		TITLE 464		TITLE 465		TITLE 466		TITLE 467		TITLE 468		TITLE 469		TITLE 470		TITLE 471		TITLE 472		TITLE 473		TITLE 474		TITLE 475		TITLE 476		TITLE 477		TITLE 478		TITLE 479		TITLE 480		TITLE 481		TITLE 482		TITLE 483		TITLE 484		TITLE 485		TITLE 486		TITLE 487		TITLE 488		TITLE 489		TITLE 490		TITLE 491		TITLE 492		TITLE 493		TITLE 494		TITLE 495		TITLE 496		TITLE 497		TITLE 498		TITLE 499		TITLE 500	
1150.80	am	(P-2492/91; A-3143)	1340.15	n	(P-11369/91; A-3175)	1150.90	am	(P-2492/91; A-3143)	1340.20	am	(P-11369/91; A-3175)	1150.100	am	(P-2492/91; A-3143)	1340.30	am	(P-11369/91; A-3175)	1150.110	am	(P-2492/91; A-3143)	1340.40	am	(P-11369/91; A-3175)	1150.II.A	am	(P-2492/91; A-3143)	1340.50	am	(P-11369/91; A-3175)	1150.80	am	(P-2492/91; A-3143)	1340.55	am	(P-11369/91; A-3175)	1150.80	am	(P-2492/91; A-3143)	1340.60	am	(P-11369/91; A-3175)	1200.30	am	(P-14369/91; A-3169)	1340.65	am	(P-11369/91; A-3175)	1255.10	n	(P-17030/91; A-3194)	1340.66	n	(P-11369/91; A-3175)	1255.20	n	(P-17030/91; A-3194)	1340.70	am	(P-17030/91; A-3194)	1255.30	n	(P-17030/91; A-3194)	1340.75	am	(P-17030/91; A-3194)	1255.40	n	(P-17030/91; A-3194)	1450.175	n	(P-14375/91; A-3204)	1255.50	n	(P-17030/91; A-3194)	1470.95	n	(P-18348/91; A-7009)	1255.60	n	(P-17030/91; A-3194)	TITLE 71	110.10	n	(P-3689)	1255.70	n	(P-17030/91; A-3194)	110.20	n	(P-3689)	1255.80	n	(P-17030/91; A-3194)	110.30	n	(P-3689)	1255.90	n	(P-17030/91; A-3194)	110.40	n	(P-3689)	1255.90	n	(P-17030/91; A-3194)	110.50	n	(P-3689)	1275.40	am	(P-5741)	110.60	n	(P-3689)	1275.50	am	(P-5741)	1275.80	n	(P-5741)	1310.20	am	(P-3784)	110.70	n	(P-3689)	1310.30	am	(P-3784)	2000.45	am	(P-1511)	1310.40	am	(P-3784)	2000.50	am	(P-1511)	1310.60	am	(P-3784)	2000.50	am	(P-1511)	1310.70	am	(P-3784)	2000.520	am	(P-1511)	1310.75	am	(P-3784)	2000.540	am	(P-1511)	1310.80	am	(P-3784)	2000.550	am	(P-1511)	1310.85	am	(P-3784)	2000.560	am	(P-1511)	1310.90	am	(P-3784)	2000.570	am	(P-1511)	1310.90	am	(P-3784)	2000.580	am	(P-1511)	1330.10	am	(P-5746)	2000.590	am	(P-1511)	1330.20	am	(P-5746)	2000.600	am	(P-1511)	1330.30	am	(P-5746)	2000.610	am	(P-1511)	1330.40	am	(P-5746)	2000.620	am	(P-1511)	1330.50	am	(P-5746)	2000.630	am	(P-1511)	1330.55	am	(P-5746)	2000.640	am	(P-1511)	1330.70	am	(P-5746)	2000.650	am	(P-1511)	1330.75	n	(P-5746)	2000.660	n	(P-1511)	1330.80	am	(P-5746)	2000.670	n	(P-1511)	1330.90	am	(P-5746)	2000.680	am	(P-1511)	1330.90	am	(P-5746)	2000.690	am	(P-1511)	1330.91	am	(P-5746)	2000.700	am	(P-1511)	1330.92	am	(P-5746)	2000.710	am	(P-1511)	1330.93	am	(P-5746)	2000.720	am	(P-1511)	1330.94	am	(P-5746)	2000.730	am	(P-1511)	1330.95	am	(P-5746)	2000.740	am	(P-1511)	1330.96	am	(P-5746)	2000.750	am	(P-1511)	1330.99	am	(P-5746)	2000.760	am	(P-1511)	1330.100	am	(P-5746)	2000.770	am	(P-1511)	1330.110	am	(P-5746)	2000.780	am	(P-1511)	1330.120	am	(P-5746)	2000.790	am	(P-1511)	1330.130	am	(P-5746)	2000.800	am	(P-1511)	1330.140	am	(P-5746)	2000.810	am	(P-1511)	1330.150	am	(P-5746)	2000.820	am	(P-1511)	1330.160	am	(P-5746)	2000.830	am	(P-1511)	1330.170	am	(P-5746)	2000.840	am	(P-1511)	1330.180	am	(P-5746)	2000.850	am	(P-1511)	1330.190	am	(P-5746)	2000.860	am	(P-1511)	1330.200	am	(P-5746)	2000.870	am	(P-1511)	1330.210	am	(P-5746)	2000.880	am	(P-1511)	1330.220	am	(P-5746)	2000.890	am	(P-1511)	1330.230	am	(P-5746)	2000.900	am	(P-1511)	1330.240	am	(P-5746)	2000.910	am	(P-1511)	1330.250	am	(P-5746)	2000.920	am	(P-1511)	1330.260	am	(P-5746)	2000.930	am	(P-1511)	1330.270	am	(P-5746)	2000.940	am	(P-1511)	1330.280	am	(P-5746)	2000.950	am	(P-1511)	1330.290	am	(P-5746)	2000.960	am	(P-1511)	1330.300	am	(P-5746)	2000.970	am	(P-1511)	1330.310	am	(P-5746)	2000.980	am	(P-1511)	1330.320	am	(P-5746)	2000.990	am	(P-1511)	1330.330	am	(P-5746)	2001.000	am	(P-1511)	1330.340	am	(P-5746)	2001.010	am	(P-1511)	1330.350	am	(P-5746)	2001.020	am	(P-1511)	1330.360	am	(P-5746)	2001.030	am	(P-1511)	1330.370	am	(P-5746)	2001.040	am	(P-1511)	1330.380	am	(P-5746)	2001.050	am	(P-1511)	1330.390	am	(P-5746)	2001.060	am	(P-1511)	1330.400	am	(P-5746)	2001.070	am	(P-1511)	1330.410	am	(P-5746)	2001.080	am	(P-1511)	1330.420	am	(P-5746)	2001.090	am	(P-1511)	1330.430	am	(P-5746)	2001.100	am	(P-1511)	1330.440	am	(P-5746)	2001.110	am	(P-1511)	1330.450	am	(P-5746)	2001.120	am	(P-1511)	1330.460	am	(P-5746)	2001.130	am	(P-5746)	2001.140	am	(P-5746)	2001.150	am	(P-5746)	2001.160	am	(P-5746)	2001.170	am	(P-5746)	2001.180	am	(P-5746)	2001.190	am	(P-5746)	2001.200	am	(P-5746)	2001.210	am	(P-5746)	2001.220	am	(P-5746)	2001.230	am	(P-5746)	2001.240	am	(P-5746)	2001.250	am	(P-5746)	2001.260	am	(P-5746)	2001.270	am	(P-5746)	2001.280	am	(P-5746)	2001.290	am	(P-5746)	2001.300	am	(P-5746)	2001.310	am	(P-5746)	2001.320	am	(P-5746)	2001.330	am	(P-5746)	2001.340	am	(P-5746)	2001.350	am	(P-5746)	2001.360	am	(P-5746)	2001.370	am	(P-5746)	2001.380	am	(P-5746)	2001.390	am	(P-5746)	2001.400	am	(P-5746)	2001.410	am	(P-5746)	2001.420	am	(P-5746)	2001.430	am	(P-5746)	2001.440	am	(P-5746)	2001.450	am	(P-5746)	2001.460	am	(P-5746)	2001.470	am	(P-5746)	2001.480	am	(P-5746)	2001.490	am	(P-5746)	2001.500	am	(P-5746)	2001.510	am	(P-5746)	2001.520	am	(P-5746)	2001.530	am	(P-5746)	2001.540	am	(P-5746)	2001.550	am	(P-5746)	2001.560	am	(P-5746)	2001.570	am	(P-5746)	2001.580	am	(P-5746)	2001.590	am	(P-5746)	2001.600	am	(P-5746)	2001.610	am	(P-5																																																																																																																																																																																																																			

TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
300.330	am	(P-4367/91; A-681)	750.2070	n	(P-5836)
		(P-2034)	750.2080	n	(P-5836)
300.620	am		750.3000	n	(P-5836)
300.630	am	(P-4367/91; A-681)	750.3100	n	(P-5836)
300.1010	am	(P-2034)	750.3200	n	(P-5836)
300.1220	am	(P-2034)	760.15	am	(P-5861)
300.1240	am	(P-2034)	760.20	am	(P-5861)
300.2070	am	(P-2034)	760.100	am	(P-5861)
300.2420	am	(P-14039/91; A-5977)	760.110	am	(P-5861)
300.3060	am	(P-2034)	760.900	am	(P-5861)
300.3100	am	(P-2034)	760.2000	n	(P-5861)
300.3310	am	(P-2034)	760.2010	n	(P-5861)
300.3710	am	(P-2034)	760.2020	n	(P-5861)
300. Ap.B	r	(P-2034)	760.2030	n	(P-5861)
330.120	am	(P-4338/91; A-651)	760.2031	n	(P-5861)
330.330	am	(P-4338/91; A-651)	760.2032	n	(P-5861)
350.120	am	(P-4280/91; A-594)	760.2040	n	(P-5861)
350.330	am	(P-4280/91; A-594)	760.2041	n	(P-5861)
350.3730	am	(P-4791)	760.2042	n	(P-5861)
390.120	am	(P-4309/91; A-623)	760.2050	n	(P-5861)
390.330	am	(P-4309/91; A-623)	760.2060	n	(P-5861)
692.10	n	(P-14389/91; A-4052)	760.2070	n	(P-5861)
692. Ap.A	n	(P-14389/91; A-4052)	760.2080	n	(P-5861)
692. Ap.B	n	(P-14389/91; A-4052)	760.3000	n	(P-5861)
693.10	am	(P-16874/91; RC-4556; A-5921)	760.3100	n	(P-5861)
693.15	am	(P-16874/91; A-5921)	760.3200	n	(P-5861)
693.30	am	(P-16874/91; RC-4556; A-5921)	770.10	r	(P-5885)
		(P-16874/91; RC-4556; A-5921)	770.20	r	(P-5885)
693.40	am	(P-16874/91; RC-4556; A-5921)	770.30	r	(P-5885)
		(P-16874/91; RC-4556; A-5921)	790.40	am	(P-15943/91; A-5941; C-7512)
693.45	n	(P-16874/91; A-5921)	790.480	am	(P-4782) (E-4899)
693.100	am	(P-16874/91; A-5921)	790.500	am	(P-4782) (E-4899)
694.220	am	(P-6972/91; A-5916)	790.548	am	(P-4782) (E-4899)
750.5	am	(P-5836)	790.580	am	(P-4782) (E-4899)
750.10	am	(P-5836)	790.600	am	(P-15943/91; A-5941; C-7512) (P-4782) (E-4899)
750.100	am	(P-5836)			
750.110	am	(P-5836)	790.620	am	(P-4782) (E-4899)
750.1000	am	(P-5836)	790.660	am	(P-4782) (E-4899)
750.2000	n	(P-5836)	790.700	am	(P-4782) (E-4899)
750.2010	n	(P-5836)	790.706	am	(P-4782) (E-4899)
750.2020	n	(P-5836)	790.721	am	(P-4782) (E-4899)
750.2030	n	(P-5836)	790.740	am	(P-4782) (E-4899)
750.2031	n	(P-5836)	790.760	am	(P-4782) (E-4899)
750.2032	n	(P-5836)	790.780	am	(P-4782) (E-4899)
750.2040	n	(P-5836)	790.788	am	(P-4782) (E-4899)
750.2041	n	(P-5836)	790.799	am	(P-15943/91; A-5941; C-7512) (P-4782) (E-4899)
750.2042	n	(P-5836)			
750.2050	n	(P-5836)			
750.2060	n	(P-5836)			

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790.820	am	(P-4782) (E-4899)	790.2470	am	(P-4782) (E-4899)	790.3860	am	(P-4782) (E-4899)	790.5320	am	(P-15843/91; A-5941; C-7512)
790.830	am	(P-4782) (E-4899)	790.2485	am	(P-15943/91; A-5941; C-7512)	790.3875	n	(P-4782) (E-4899)	790.5380	am	(P-15943/91; A-5941; C-7512)
790.860	am	(P-4782) (E-4899)	790.2500	am	(P-4782) (E-4899)	790.3907	am	(P-4782) (E-4899)			
790.900	am	(P-4782) (E-4899)	790.2510	am	(P-4782) (E-4899)	790.3910	am	(P-4782) (E-4899)			
790.910	am	(P-4782) (E-4899)	790.2540	am	(P-4782) (E-4899)			(P-15943/91; A-5941; C-7512)			
790.920	am	(P-15943/91; A-5941; C-7512)	790.2580	am	(P-15943/91; A-5941; C-7512)	790.3940	am	(P-4782) (E-4899)			
790.980	am	(P-4782) (E-4899)			(E-4899)	790.3945	am	(P-4782) (E-4899)			
790.1060	am	(P-4782) (E-4899)	790.2603	am	(P-15943/91; A-5941; C-7512)	790.3980	am	(P-4782) (E-4899)			
790.1112	am	(P-4782) (E-4899)			(E-4899)	790.3996	am	(P-4782) (E-4899)			
790.1120	am	(P-4782) (E-4899)	790.2605	am	(P-4782) (E-4899)	790.4012	am	(P-4782) (E-4899)			
790.1140	am	(P-4782) (E-4899)	790.2613	am	(P-15943/91; A-5941; C-7512)	790.4040	am	(P-4782) (E-4899)			
790.1300	am	(P-4782) (E-4899)			(E-4899)						
790.1345	am	(P-4782) (E-4899)	790.2617	am	(P-4782) (E-4899)	790.4060	am	(P-4782) (E-4899)			
790.1350	am	(P-15943/91; A-5941; C-7512)	790.2618	am	(P-4782) (E-4899)	790.4100	am	(P-4782) (E-4899)			
		(E-4899)	790.2620	am	(P-4782) (E-4899)	790.4140	am	(P-4782) (E-4899)			
790.1388	n	(P-4782) (E-4899)	790.2661	am	(P-4782) (E-4899)	790.4173	am	(P-4782) (E-4899)			
		(P-15943/91; A-5941; C-7512)	790.2780	am	(P-4782) (E-4899)	790.4180	am	(P-4782) (E-4899)			
		(E-4899)	790.2805	am	(P-15943/91; A-5941; C-7512)	790.4220	am	(P-4782) (E-4899)			
790.1420	am	(P-4782) (E-4899)			(E-4899)	790.4260	am	(P-4782) (E-4899)			
790.1460	am	(P-4782) (E-4899)	790.2900	am	(P-4782) (E-4899)	790.4300	am	(P-4782) (E-4899)			
790.1490	am	(P-4782) (E-4899)	790.2902	am	(P-4782) (E-4899)	790.4385	am	(P-4782) (E-4899)			
790.1500	am	(P-4782) (E-4899)	790.2904	am	(P-4782) (E-4899)	790.4386	am	(P-4782) (E-4899)			
790.1540	am	(P-4782) (E-4899)	790.2980	am	(P-4782) (E-4899)	790.4396	am	(P-4782) (E-4899)			
790.1560	am	(P-4782) (E-4899)	790.3020	am	(P-4782) (E-4899)	790.4398	am	(P-4782) (E-4899)			
790.1570	am	(P-4782) (E-4899)	790.3021	am	(P-4782) (E-4899)	790.4420	am	(P-4782) (E-4899)			
790.1660	am	(P-4782) (E-4899)	790.3027	am	(P-15943/91; A-5941)	790.4580	am	(P-4782) (E-4899)			
790.1685	am	(P-4782) (E-4899)	790.3029	am	(P-4782) (E-4899)	790.4620	am	(P-4782) (E-4899)			
790.1700	am	(P-4782) (E-4899)	790.3049	am	(P-4782) (E-4899)	790.4660	am	(P-4782) (E-4899)			
790.1710	am	(P-4782) (E-4899)	790.3054	am	(P-4782) (E-4899)	790.4670	am	(P-4782) (E-4899)			
790.1740	am	(P-4782) (E-4899)	790.3085	am	(P-4782) (E-4899)	790.4680	am	(P-4782) (E-4899)			
790.1820	am	(P-4782) (E-4899)	790.3100	am	(P-4782) (E-4899)	790.4700	am	(P-4782) (E-4899)			
790.1830	n	(P-4782) (E-4899)	790.3260	am	(P-4782) (E-4899)	790.4720	am	(P-4782) (E-4899)			
790.1860	am	(P-4782) (E-4899)	790.3300	am	(P-4782) (E-4899)	790.4740	am	(P-4782) (E-4899)			
790.1950	am	(P-15943/91; A-5941; C-7512)	790.3308	am	(P-4782) (E-4899)	790.4780	am	(P-4782) (E-4899)			
		(E-4899)	790.3315	am	(P-4782) (E-4899)	790.4840	am	(P-4782) (E-4899)			
790.1980	am	(P-4782) (E-4899)	790.3335	am	(P-4782) (E-4899)	790.4860	am	(P-4782) (E-4899)			
790.2020	am	(P-4782) (E-4899)	790.3340	am	(P-4782) (E-4899)	790.4900	am	(P-4782) (E-4899)			
790.2097	am	(P-4782) (E-4899)	790.3420	am	(P-4782) (E-4899)	790.4965	am	(P-4782) (E-4899)			
790.2100	am	(P-4782) (E-4899)	790.3437	am	(P-4782) (E-4899)	790.4980	am	(P-4782) (E-4899)			
790.2140	am	(P-4782) (E-4899)	790.3472	am	(P-4782) (E-4899)	790.5060	am	(P-4782) (E-4899)			
790.2155	am	(P-4782) (E-4899)	790.3480	n	(P-4782) (E-4899)	790.5100	am	(P-4782) (E-4899)			
790.2180	am	(P-4782) (E-4899)	790.3492	am	(P-4782) (E-4899)	790.5140	am	(P-4782) (E-4899)			
790.2260	am	(P-4782) (E-4899)	790.3495	am	(P-4782) (E-4899)	790.5180	am	(P-4782) (E-4899)			
790.2380	am	(P-4782) (E-4899)	790.3540	am	(P-4782) (E-4899)						
790.2390	am	(P-4782) (E-4899)	790.3620	am	(P-4782) (E-4899)						
790.2460	am	(P-4782) (E-4899)	790.3700	am	(P-4782) (E-4899)						
790.2462	am	(P-4782) (E-4899)	790.3742	am	(P-4782) (E-4899)						
			790.3780	am	(P-4782) (E-4899)						

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790.6800	am	(P-4782) (E-4899)	790.8700	am	(P-4782) (E-4899)
790.6820	am	(P-4782) (E-4889)	790.8710	am	(P-4782) (E-4889)
790.6860	am	(P-4782) (E-4899)	790.8724	am	(P-4782) (E-4899)
790.6875	am	(P-4782) (E-4899)	790.8740	am	(P-4782) (E-4899)
790.6885	am	(P-4782) (E-4899)	790.8780	am	(P-4782) (E-4899)
790.6895	am	(P-4782) (E-4899)	790.8820	am	(P-4782) (E-4899)
790.6940	am	(P-4782) (E-4899)	790.8900	am	(P-4782) (E-4899)
790.6960	am	(P-4782) (E-4899)	790.8940	am	(P-4782) (E-4899)
790.6980	am	(P-4782) (E-4899)	790.8980	am	(P-4782) (E-4899)
790.7100	am	(P-4782) (E-4899)	790.9020	am	(P-4782) (E-4899)
790.7120	am	(P-4782) (E-4899)	790.9035	am	(P-4782) (E-4899)
790.7130	am	(P-4782) (E-4899)	790.9045	am	(P-4782) (E-4899)
790.7140	am	(P-4782) (E-4899)	790.9048	am	(P-4782) (E-4899)
790.7180	am	(P-4782) (E-4899)			(P-15943/91; A-5941; C-7512)
790.7229	am	(P-4782) (E-4899)			(P-15943/91; A-5941; C-7512)
790.7260	n	(P-4782) (E-4899)	790.9050	am	(P-4782) (E-4899)
790.7265	am	(P-4782) (E-4889)	790.9056	am	(P-4782) (E-4899)
790.7280	am	(P-4782) (E-4899)	790.9060	am	(P-4782) (E-4899)
790.7291	am	(P-4782) (E-4899)	790.9084	am	(P-4782) (E-4899)
790.7296	am	(P-4782) (E-4899)	790.9100	am	(P-4782) (E-4899)
790.7380	am	(P-4782) (E-4899)			(P-15943/91; A-5941; C-7512)
790.7400	am	(P-4782) (E-4899)			(P-4782) (E-4899)
790.7420	am	(P-4782) (E-4899)	790.9140	am	(P-4782) (E-4899)
790.7500	am	(P-4782) (E-4899)	790.9180	am	(P-4782) (E-4899)
790.7510	am	(P-4782) (E-4899)	790.9220	am	(P-4782) (E-4899)
790.7540	am	(P-4782) (E-4899)	790.9260	am	(P-4782) (E-4899)
790.7580	am	(P-4782) (E-4899)	790.9300	am	(P-4782) (E-4899)
790.7700	am	(P-4782) (E-4899)	790.9340	am	(P-4782) (E-4899)
790.7740	am	(P-4782) (E-4899)	790.9380	am	(P-4782) (E-4899)
790.7820	am	(P-4782) (E-4899)	790.9420	am	(P-4782) (E-4899)
			790.9460	am	(P-4782) (E-4899)
790.7828	am	(P-4782) (E-4899)	790.9500	am	(P-4782) (E-4899)
		(P-15943/91; A-5941; C-7512)	790.9520	am	(P-4782) (E-4899)
			790.9530	am	(P-4782) (E-4899)
790.7834	am	(P-4782) (E-4889)	790.9580	am	(P-2092)
790.7860	am	(P-4782) (E-4899)	830.10	am	(P-2092)
790.7940	am	(P-4782) (E-4899)	830.880	am	(P-2092)
790.7980	am	(P-4782) (E-4899)	830.885	am	(P-2092)
790.8015	am	(P-4782) (E-4899)	830.890	am	(P-2092)
790.8020	am	(P-4782) (E-4899)	830.900	am	(P-4329)
790.8106	am	(P-4782) (E-4899)	840.20	am	(P-4329)
790.8136	am	(P-4782) (E-4899)	840.115	am	(P-4329)
790.8248	am	(P-4782) (E-4899)	840.210	am	(P-4329)
790.8300	am	(P-4782) (E-4899)	840.215	am	(P-4329)
790.8420	am	(P-4782) (E-4899)	840.305	am	(P-4329)
790.8540	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.8580	am	(P-4782) (E-4899)	840. Ap. B	am	(P-4329)
		(P-15943/91; A-5941; C-7512)	Ex. A	am	(P-4329)
			..I. A	r	(P-4329)

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.Ex.B .II. B 840. Ap.C	n r am am	(P-4329) (P-4329) (P-4329) (P-4329)	1240. Ap.A 2030.10 2030.10 2030.20	r n r n	(P-5225) (P-9083/91; A-2457) (P-9153/91; A-2530) (P-9083/91; A-2457)
.Ex.B 1120.20	n n	(P-5205) (P-5205)	2030.20 2030.30	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1120.110	n n	(P-5205) (P-5205)	2030.30 2030.40	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1120.120	n n	(P-5205) (P-5205)	2030.40 2030.50	r r	(P-9153/91; A-2530) (P-9083/91; A-2457)
1120.130	n n	(P-5205) (P-5205)	2030.50 2030.100	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1120.210	n n	(P-5205) (P-5205)	2030.100 2030.105	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1120.310	n am	(P-5205) (P-4755)	2030.105 2030.107	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1120. Ap.A 1130.140	am am	(P-4755) (P-4755)	2030.107 2030.110	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.410	am am	(P-4755) (P-4755)	2030.110 2030.115	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.510	am am	(P-4755) (P-4755)	2030.115 2030.120	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.620	am am	(P-4755) (P-4755)	2030.120 2030.120	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.630	am am	(P-4755) (P-4755)	2030.120 2030.130	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.640	am am	(P-4755) (P-4755)	2030.130 2030.140	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.710	am am	(P-4755) (P-4755)	2030.140 2030.150	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.720	am am	(P-4755) (P-4755)	2030.150 2030.160	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.730	am am	(P-4755) (P-4755)	2030.160 2030.210	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.740	am am	(P-4755) (P-4755)	2030.210 2030.220	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.760	am am	(P-4755) (P-4755)	2030.220 2030.230	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.770	am am	(P-4755) (P-4755)	2030.230 2030.240	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1130.780	am am	(P-4755) (P-4755)	2030.240 2030.250	r n	(P-9153/91; A-2530) (P-9083/91; A-2457)
1190.30	am r	(P-3063) (P-5187)	2030.250 2030.260	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.10	r r	(P-5187) (P-5187)	2030.260 2030.270	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.20	r r	(P-5187) (P-5187)	2030.270 2030.280	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.30	r r	(P-5187) (P-5187)	2030.280 2030.290	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.110	r r	(P-5187) (P-5187)	2030.290 2030.300	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.120	r r	(P-5187) (P-5187)	2030.300 2030.310	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.210	r r	(P-5187) (P-5187)	2030.310 2030.320	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.220	r r	(P-5187) (P-5187)	2030.320 2030.330	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.230	r r	(P-5187) (P-5187)	2030.330 2030.340	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.240	r r	(P-5187) (P-5187)	2030.340 2030.350	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.250	r r	(P-5187) (P-5187)	2030.350 2030.360	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.260	r r	(P-5187) (P-5187)	2030.360 2030.370	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.310	r r	(P-5187) (P-5187)	2030.370 2030.380	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.320	r r	(P-5187) (P-5187)	2030.380 2030.390	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.410	r r	(P-5187) (P-5187)	2030.390 2030.400	r n	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230.420	r r	(P-5187) (P-5187)	2030.400 2030.410	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230. Tb.A	r r	(P-5187) (P-5187)	2030.410 2030.420	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1230. Tb.B	r r	(P-5187) (P-5187)	2030.420 2030.430	n r	(P-9083/91; A-2457) (P-9153/91; A-2530)
1240.10	r r	(P-5225) (P-5225)	2030.430 2030.440	r n	(P-9083/91; A-2457) (P-9153/91; A-2530)
1240.20	r r	(P-5225) (P-5225)	2030.440 2030.450	r n	(P-9083/91; A-2457) (P-9153/91; A-2530)
1240.30	r r	(P-5225) (P-5225)	2030.450 2030.460	r n	(P-9083/91; A-2457) (P-9153/91; A-2530)
1240.40	r r	(P-5225) (P-5225)	2030.460 2030.470	r n	(P-9083/91; A-2457) (P-9153/91; A-2530)
1240.50	r r	(P-5225) (P-5225)	2030.470 2030.480	r n	(P-9083/91; A-2457) (P-9153/91; A-2530)
1240.60	r r	(P-5225) (P-5225)	2030.480 2030.490	r n	(P-9083/91; A-2457) (P-9153/91; A-2530)

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2030.510	r (P-9153/91; A-2530)	2030.1060	n (P-9083/91; A-2457)
2030.510	r (P-9083/91; A-2457)	2030.1070	n (P-9083/91; A-2457)
2030.520	r (P-9153/91; A-2530)	2030.1080	n (P-9083/91; A-2457)
2030.520	r (P-9083/91; A-2457)	2030.1090	n (P-9083/91; A-2457)
2030.530	n (P-9083/91; A-2457)	2030.1110	r (P-9153/91; A-2530)
2030.540	n (P-9083/91; A-2457)	2030.1120	n (P-9083/91; A-2457)
2030.550	n (P-9083/91; A-2457)	2030.1130	n (P-9083/91; A-2457)
2030.610	r (P-9153/91; A-2530)	2030.1140	r (P-9153/91; A-2530)
2030.610	n (P-9083/91; A-2457)	2030.1150	n (P-9083/91; A-2457)
2030.620	n (P-9083/91; A-2457)	2030.1160	n (P-9083/91; A-2457)
2030.630	r (P-9153/91; A-2530)	2030.1205	n (P-9083/91; A-2457)
2030.640	r (P-9083/91; A-2457)	2030.1210	r (P-9153/91; A-2530)
2030.710	n (P-9153/91; A-2530)	2030.1215	n (P-9083/91; A-2457)
2030.720	n (P-9083/91; A-2457)	2030.1220	r (P-9153/91; A-2530)
2030.730	r (P-9153/91; A-2530)	2030.1225	r (P-9083/91; A-2457)
2030.740	r (P-9083/91; A-2457)	2030.1230	n (P-9083/91; A-2457)
2030.750	r (P-9153/91; A-2530)	2030.1230	n (P-9153/91; A-2530)
2030.760	r (P-9083/91; A-2457)	2030.1240	n (P-9083/91; A-2457)
2030.760	n (P-9083/91; A-2457)	2030.1245	n (P-9153/91; A-2530)
2030.810	r (P-9153/91; A-2530)	2030.1250	n (P-9083/91; A-2457)
2030.820	r (P-9083/91; A-2457)	2030.1255	n (P-9153/91; A-2530)
2030.830	n (P-9083/91; A-2457)	2030.1265	n (P-9083/91; A-2457)
2030.840	n (P-9153/91; A-2530)	2030.1270	n (P-9153/91; A-2530)
2030.850	r (P-9083/91; A-2457)	2030.1310	r (P-9153/91; A-2530)
2030.910	r (P-9153/91; A-2530)	2030.1310	n (P-9083/91; A-2457)
2030.920	r (P-9083/91; A-2457)	2030.1320	n (P-9153/91; A-2530)
2030.930	r (P-9153/91; A-2530)	2030.1330	r (P-9083/91; A-2457)
2030.940	r (P-9083/91; A-2457)	2030.1340	r (P-9153/91; A-2530)
2030.950	r (P-9153/91; A-2530)	2030.1350	r (P-9083/91; A-2457)
2030.960	r (P-9083/91; A-2457)	2031.10	r (P-9149/91; A-2455)
2030.970	r (P-9153/91; A-2530)	2032.10	r (P-9218/91; A-2533)
2030.980	r (P-9083/91; A-2457)	2032.15	r (P-9218/91; A-2533)
2030.1010	r (P-9153/91; A-2530)	2032.20	r (P-9218/91; A-2533)
2030.1020	n (P-9083/91; A-2457)	2032.25	r (P-9218/91; A-2533)
2030.1030	n (P-9083/91; A-2457)	2032.30	r (P-9218/91; A-2533)
2030.1030	n (P-9153/91; A-2530)	2032.35	r (P-9218/91; A-2533)
2030.1040	r (P-9083/91; A-2457)	2032.40	r (P-9218/91; A-2533)
2030.1040	n (P-9153/91; A-2530)	2032.45	r (P-9218/91; A-2533)
2030.1050	n (P-9083/91; A-2457)	2032.50	r (P-9218/91; A-2533)
		2032.55	r (P-9218/91; A-2533)
		2032.60	r (P-9218/91; A-2533)

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TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
2056.1	am (P-4567)	2090.40	am (P-5104)
2056.5	am (P-4567)	2090.70	am (P-5104)
2056.15	am (P-4567)	2090.100	am (P-5104)
2056.20	am (P-4567)		
2056.25	am (P-4567)		
2056.50	am (P-4567)		
2056.55	am (P-4567)		
2056.60	am (P-4567)		
2056.61	am (P-4567)		
2056.65	# (P-4567)		
2056.70	# (P-4567)		
2056.75	am (P-4567)		
2056.210	am (P-4567)		
2056.215	am (P-4567)		
2056.301	# (P-4567)		
2056.303	am (P-4567)		
2056.305	am (P-4567)		
2056.310	am (P-4567)		
2056.315	am (P-4567)		
2056.320	am (P-4567)		
2056.325	am (P-4567)		
2056.330	am (P-4567)		
2056.405	am (P-4567)		
2056.410	am (P-4567)		
2056.415	am (P-4567)		
2056.420	am (P-4567)		
2056.500	am (P-4567)		
2056.505	am (P-4567)		
2056.510	r (P-4567)		
2056.525	am (P-4567)		
2056.600	am (P-4567)		
2056.603	n (P-4567)		
2056.605	am (P-4567)		
2056.607	am (P-4567)		
2056.610	am (P-4567)		
2056.615	r (P-4567)		
2056.620	n (P-4567)		
2056.625	n (P-4567)		
2056.630	n (P-4567)		
2056.635	n (P-4567)		
2056.640	n (P-4567)		
2056.645	n (P-4567)		
2056.650	n (P-4567)		
2056.655	n (P-4567)		
2056.660	n (P-4567)		
2056.705	am (P-4567)		
2090.20	am (P-5104)		

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TITLE 89 (CONT'D)		
141.4640	r	(P-12132/91; A-7922)
141.4680	r	(P-12132/91; A-7922)
141.4720	r	(P-12132/91; A-7922)
141.4760	r	(P-12132/91; A-7922)
141.4800	r	(P-12132/91; A-7922)
144.275	am	(P-15926/91; A-6195)
144.300	n	(P-7455/91; A-3497)
144.325	n	(P-7455/91; A-3497)
144.350	n	(P-5806)
144.375	n	(P-5806)
144.400	n	(P-5806)
144.405	n	(P-5806)
144.425	n	(P-5806)
144.450	n	(P-5806)
147.25	am	(P-4218)
147.50	am	(P-4218)
147.75	am	(P-4218)
147.150	am	(P-15940/91; A-6479)
147.Tb.A	am	(P-7501/91; A-4035)
147.Tb.B	am	(P-15940/91; A-6479)
147.Tb.D	am	(P-4218)
147.Tb.E	am	(P-4218)
147.Tb.G	am	(P-4218)
147.Tb.L	n	(P-4218)
148.20	am	(P-15928/91; A-6255)
148.40	am	(P-15928/91; A-6255)
148.60	am	(P-15928/91; A-6255)
148.70	am	(P-15928/91; A-6255)
148.80	am	(P-15928/91; A-6255)
148.90	r	(P-15928/91; A-6255)
148.100	r	(P-15928/91; A-6255)
148.110	r	(P-15928/91; A-6255)
148.120	am	(P-15928/91; A-6255)
148.130	am	(P-15928/91; A-6255)
148.140	am	(P-15928/91; A-6255)
148.150	am	(P-1786)
148.160	am	(P-15928/91; A-6255)
148.170	am	(P-15928/91; A-6255)
148.180	am	(P-15928/91; A-6255)
148.190	am	(P-15928/91; A-6255)
148.200	am	(P-15928/91; A-6255)
148.210	am	(P-15928/91; A-6255)
148.220	am	(P-15928/91; A-6255)
148.230	am	(P-15928/91; A-6255)
148.240	am	(P-15928/91; A-6255)
148.250	am	(P-15928/91; A-6255)
148.260	am	(P-15928/91; A-6255)
148.270	am	(P-15928/91; A-6255)
148.280	am	(P-15928/91; A-6255)
148.290	am	(P-15928/91; A-6255)
148.300	am	(P-15928/91; A-6255)
148.310	am	(P-15928/91; A-6255)
148.320	am	(P-15928/91; A-6255)
148.400	n	(P-15928/91; A-6255)
149.5	am	(P-15931/91; A-6195)
149.25	am	(P-15931/91; A-6195)
149.50	am	(P-15931/91; A-6195)
149.75	am	(P-15931/91; A-6195)
149.100	am	(P-15931/91; A-6195)
149.105	am	(P-15931/91; A-6195)
149.125	am	(P-15931/91; A-6195)
149.150	am	(P-15931/91; A-6195)
149.175	r	(P-15931/91; A-6195)
149.200	r	(P-15931/91; A-6195)
149.205	r	(P-15931/91; A-6195)
149.225	r	(P-15931/91; A-6195)
149.250	r	(P-15931/91; A-6195)
149.275	r	(P-15931/91; A-6195)
149.300	r	(P-15931/91; A-6195)
149.305	r	(P-15931/91; A-6195)
149.325	r	(P-15931/91; A-6195)
150.10	n	(E-2258)
150.20	n	(E-2258)
150.30	n	(E-2258)
150.40	n	(E-2258)
150.50	n	(E-2258)
150.60	n	(E-2258)
160.5	am	(P-806/91; A-1852)
160.10	am	(P-806/91; A-1852)
160.20	am	(P-806/91; A-1852)
160.30	am	(P-2406)
230.45	am	(P-3605)
230.570	am	(P-3605)
240.400	am	(E-2630)
240.415	am	(E-2630)
240.430	am	(P-17007/91; M-2930)
240.435	am	(E-17398/91; S-1744; W-2955; M-2943)
240.655	am	(E-17398/91; S

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685.550	n	(P-14392/91; A-4529)	50.70	n	(P-6153)
685.600	am	(P-16876/91; A-6868)	50.80	r	(P-6139)
714.30	am	(P-3067)	50.80	n	(P-6153)
714.100	am	(P-3067)	50.90	r	(P-6139)
714.110	am	(P-3067)	50.90	n	(P-6153)
714.120	am	(P-3067)	50.100	r	(P-6139)
714.130	am	(P-3067)	50.100	n	(P-6153)
714.300	n	(P-3067)	50.110	r	(P-6139)
714.310	am	(P-3067)	50.110	n	(P-6153)
787.10	n	(P-13027/91; A-2882)	50.120	r	(P-6139)
787.20	n	(P-13027/91; A-2882)	50.120	n	(P-6153)
787.30	n	(P-13027/91; A-2882)	50.130	r	(P-6139)
787.40	n	(P-13027/91; A-2882)	50.130	n	(P-6153)
787.50	n	(P-13027/91; A-2882)	50.140	r	(P-6139)
845.10	am	(P-11572/91; A-2615)	50.140	n	(P-6153)
845.20	am	(P-11572/91; A-2615)	50.150	r	(P-6139)
845.30	am	(P-11572/91; A-2615)	50.160	r	(P-6139)
845.40	am	(P-11572/91; A-2615)	50.160	n	(P-6153)
900.321	am	(P-12989/91; A-5311)	50.170	am	(P-4813)
900.322	am	(P-12989/91; A-5311)	62.30	am	(P-15955/91; W-2696)
900.330	am	(P-12989/91; A-5311)	171.6	#	(P-3856)
900.331	am	(P-12989/91; A-5311)	171.6	am	(P-3856)
900.342	am	(P-12989/91; A-5311)	171.1000	am	(P-3856)
900.343	am	(P-12989/91; A-5311)	172.2000	am	(P-16003/91; W-2697)
900.348	am	(P-12989/91; A-5311)	172.2215	am	(P-3864)
1300.110	am	(P-5141/91; A-4819)	173.3000	am	(P-16003/91; W-2697)
1300.120	am	(P-5141/91; A-4819)	177.2000	am	(P-3864)
1300.130	am	(P-5141/91; A-4819)	178.336.1.1	am	(P-3869)
1300.200	am	(P-5141/91; A-4819)	178.336.1.5	am	(P-15990/91; W-2695)
1300.205	n	(P-5141/91; A-4819)	178.336.1.1	am	(P-3847)
1300.210	am	(P-5141/91; A-4819)	178.336.1.5	am	(P-16015/91; W-2699)

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44.30	am	(P-4807)	178.2000	am	(P-3876)
50.5	r	(P-6139)	179.2000	am	(P-16015/91; W-2699)
50.10	r	(P-6139)	180.2000	am	(P-16027/91; W-2700)
50.10	n	(P-6153)	390.1010	am	(P-3888)
50.20	r	(P-6139)	390.1020	am	(P-3851)
50.20	n	(P-6153)	390.2000	am	(P-7815)
50.30	r	(P-6139)	391.1000	am	(P-7815)
50.30	n	(P-6153)	391.2000	am	(P-7832)
50.40	r	(P-6139)	395.2000	am	(P-16653/91; A-5362)
50.40	n	(P-6153)	396.2010	am	(P-7832)
50.50	r	(P-6139)	440.420	am	(P-7805)
50.60	r	(P-6139)	440.420	am	(P-7811)
50.60	n	(P-6153)	440.420	am	(P-13041/91; A-1655)
50.70	r	(P-6139)	440.420	n	(P-13041/91; A-1655)

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442.285	am	(P-13072/91; A-1685)	530.250	n	(P-2940/91; A-2193)
442.11. A	am	(P-13072/91; A-1685)	530.260	n	(P-2940/91; A-2193)
442.11.E	n	(P-13072/91; A-1685)	530.270	n	(P-2940/91; A-2193)
530.10	n	(P-2940/91; A-2193)	530.275	n	(P-2940/91; A-2193)
530.10	r	(P-3003/91; A-2256)	530.280	n	(P-2940/91; A-2193)
530.20	n	(P-2940/91; A-2193)	530.290	n	(P-2940/91; A-2193)
530.30	r	(P-3003/91; A-2256)	530.300	n	(P-2940/91; A-2193)
530.30	n	(P-2940/91; A-2193)	530.301	r	(P-3003/91; A-2256)
530.30	r	(P-3003/91; A-2256)	530.302	r	(P-3003/91; A-2256)
530.30	n	(P-2940/91; A-2193)	530.303	r	(P-3003/91; A-2256)
530.30	n	(P-2940/91; A-2193)	530.310	n	(P-2940/91; A-2193)
530.30	n	(P-2940/91; A-2193)	530.320	n	(P-2940/91; A-2193)
530.30	n	(P-2940/91; A-2193)	530.330	n	(P-2940/91; A-2193)
530.100	n	(P-2940/91; A-2193)	530.400	n	(P-2940/91; A-2193)
530.101	r	(P-3003/91; A-2256)	530.401	r	(P-3003/91; A-2256)
530.102	r	(P-3003/91; A-2256)	530.402	r	(P-3003/91; A-2256)
530.103	r	(P-3003/91; A-2256)	530.403	r	(P-3003/91; A-2256)
530.104	r	(P-3003/91; A-2256)	530.410	n	(P-2940/91; A-2193)
530.105	r	(P-3003/91; A-2256)	530.420	n	(P-2940/91; A-2193)
530.106	r	(P-3003/91; A-2256)	530.430	n	(P-2940/91; A-2193)
530.107	r	(P-3003/91; A-2256)	530.440	n	(P-2940/91; A-2193)
530.108	r	(P-3003/91; A-2256)	530.450	n	(P-2940/91; A-2193)
530.109	r	(P-3003/91; A-2256)	530.460	n	(P-2940/91; A-2193)
530.110	n	(P-2940/91; A-2193)	530.470	n	(P-2940/91; A-2193)
530.110	r	(P-3003/91; A-2256)	530.480	n	(P-2940/91; A-2193)
530.112	r	(P-3003/91; A-2256)	530.500	n	(P-2940/91; A-2193)
530.113	r	(P-3003/91; A-2256)	530.501	r	(P-3003/91; A-2256)
530.114	r	(P-3003/91; A-2256)	530.502	r	(P-3003/91; A-2256)
530.115	r	(P-3003/91; A-2256)	530.510	n	(P-2940/91; A-2193)
530.116	r	(P-3003/91; A-2256)	530.520	n	(P-2940/91; A-2193)
530.117	r	(P-3003/91; A-2256)	530.530	n	(P-2940/91; A-2193)
530.118	r	(P-3003/91; A-2256)	530.600	n	(P-2940/91; A-2193)
530.119	r	(P-3003/91; A-2256)	530.601	r	(P-3003/91; A-2256)
530.120	n	(P-2940/91; A-2193)	530.602	r	(P-3003/91; A-2256)
530.120	r	(P-3003/91; A-2256)	530.603	r	(P-3003/91; A-2256)
530.121	r	(P-3003/91; A-2256)	530.610	n	(P-2940/91; A-2193)
530.122	r	(P-3003/91; A-2256)	530.700	n	(P-2940/91; A-2193)
530.123	r	(P-3003/91; A-2256)	530.701	r	(P-3003/91; A-2256)
530.130	n	(P-2940/91; A-2193)	530.702	r	(P-3003/91; A-2256)
530.140	n	(P-2940/91; A-2193)	530.710	n	(P-2940/91; A-2193)
530.150	n	(P-2940/91; A-2193)	530.800	n	(P-2940/91; A-2193)
530.200	n	(P-2940/91; A-2193)	530.801	n	(P-3003/91; A-2256)
530.201	r	(P-3003/91; A-2256)	530.802	r	(P-3003/91; A-2256)
530.202	r	(P-3003/91; A-2256)	530.803	r	(P-3003/91; A-2256)
530.203	r	(P-3003/91; A-2256)	530.804	r	(P-3003/91; A-2256)
530.210	n	(P-2940/91; A-2193)	530.810	n	(P-2940/91; A-2193)
530.220	n	(P-2940/91; A-2193)	530.820	n	(P-2940/91; A-2193)
530.225	n	(P-2940/91; A-2193)	530.830	n	(P-2940/91; A-2193)
530.230	n	(P-2940/91; A-2193)	530.840	n	(P-2940/91; A-2193)
530.240	n	(P-2940/91; A-2193)	530.900	n	(P-2940/91; A-2193)

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530.901	r	(P-3003/91; A-2256)	121.190	n	(P-561; A-7707)
530.902	r	(P-3003/91; A-2256)	121.200	n	(P-561; A-7707)
530.903	r	(P-3003/91; A-2256)	121.210	n	(P-561; A-7707)
530.904	r	(P-3003/91; A-2256)	121.220	n	(P-561; A-7707)
530.905	r	(P-3003/91; A-2256)	121.230	n	(P-561; A-7707)
530.906	r	(P-3003/91; A-2256)	122.10	n	(P-2113)
530.907	r	(P-3003/91; A-2256)	122.20	n	(P-2113)
530.908	r	(P-3003/91; A-2256)	122.30	n	(P-2113)
530.909	r	(P-3003/91; A-2256)	122.40	n	(P-2113)
530.11.A	n	(P-2940/91; A-2193)	122.50	n	(P-2113)
708.70	am	(P-8193/91; A-194)	122.60	n	(P-2113)
787.10	n	(P-13027/91; A-2882)	122.70	n	(P-2113)
787.20	n	(P-13027/91; A-2882)			
787.30	n	(P-13027/91; A-2882)			
787.40	n	(P-13027/91; A-2882)			
787.50	n	(P-13027/91; A-2882)			
1002.20	am	(P-6790)			
1002.45	n	(P-6790)			
1010.420	am	(P-5240)			
1030.11	am	(P-1271)			
1030.30	am	(P-2449)			
1030.84	am	(P-14198/91; A-2182)			
		(C-2957)			
1070.20	am	(P-15428/91; A-2172)			
1070.40	am	(P-15428/91; A-2172)			
1309.10	n	(P-3238)			
1309.20	n	(P-3238)			
1309.30	n	(P-3238)			
1311.10	n	(P-4195/91; W-2942)			
1440.20	am	(P-5139)			

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116.40	am	(P-558; A-7704)
121.20	n	(P-561; A-7707)
121.30	n	(P-561; A-7707)
121.40	n	(P-561; A-7707)
121.50	n	(P-561; A-7707)
121.60	n	(P-561; A-7707)
121.70	n	(P-561; A-7707)
121.80	n	(P-561; A-7707)
121.90	n	(P-561; A-7707)
121.100	n	(P-561; A-7707)
121.110	n	(P-561; A-7707)
121.120	n	(P-561; A-7707)
121.130	n	(P-561; A-7707)
121.140	n	(P-561; A-7707)
121.150	n	(P-561; A-7707)
121.160	n	(P-561; A-7707)
121.170	n	(P-561; A-7707)
121.180	n	(P-561; A-7707)

